



Members Present:

Dave Browning, Mayor
Dennis Lipp, Vice-Mayor
Ryan Liang, Council Member
Ron Jarriel, Council Member
Dr. J. William Louda, Council Member

Members Absent:

None

Others Attending:

Dr. Irv Rosenbaum, Interim Town Manager (NCS)
Matthew Lippman, Interim Town Clerk (NCS)
Michelle Kantor, Interim Assistant Town Clerk (NCS)
David Tolces., Esq., Town Attorney
Members of the Public

1. – 4. Call to Order/Roll Call/Pledge of Allegiance/Invocation

Mayor Browning called the meeting to order at 7:00p.m. He then requested the roll call by Town Clerk Lippman. Upon completion of the roll, Mayor Browning requested everyone stand for the Pledge of Allegiance and Invocation.

Mayor Browning moved to Item #5.

5. Approval of Agenda

Vice-Mayor Lipp asked for Items #17 and #19 to be combined into one Agenda Item.

Mayor Browning noted an Agenda Item #10(a) DEP Grant would be added to the Agenda.

Vice-Mayor Lipp made a MOTION to approve the amended Agenda, SECONDED by Councilman Louda and the MOTION passed unanimously 5-0.

Mayor Browning moved to Item #6.

CONSENT AGENDA:

6. Independent Contractor Agreement (CGA): ERM Regulations

Vice-Mayor Lipp made a MOTION to approve the Consent Agenda, SECONDED by Councilman Louda and discussion was then opened:

Councilman Liang asked how many more meetings that are not included in the Agreement will there be.

Town Clerk Lippman responded the Agreement will cover the Workshop and 2 Regular Town Council Meetings.

Councilman Liang said I understand that but if we needed more than that, how much would it be per meeting.

Town Attorney Tolces responded if you look at the back of the agreement there is a schedule of fees and it would be the hourly rate of those who attend the meetings.

Councilman Liang commented in Section 3:3 where it mentions the Town would have to reimburse for Fed Ex and maps, I think it should be included.

Town Clerk Lippman said we can be more clear in there, but I can tell you the ones that went over in cost were strictly for copying, and especially with the Comprehensive Plan, but we can get more specific language.

Councilman Louda commented the way I look at this is it is strictly boiler plate.

Town Attorney Tolces said I just spoke with Shelley Eichner, Calvin-Giordano and she agreed to take out Section 3:3.

Mayor Browning said my only concern would be I would rather pay for that on the side than have them put in a standard amount.

Vice-Mayor Lipp amended his MOTION to approve the Consent Agenda and added with the removal of Section 3:3 from the Independent Contractor Agreement for the ERM Regulations, and the SECOND was amended by Councilman Louda and the MOTION passed unanimously 5-0.

Mayor Browning moved to Item #7.

REGULAR AGENDA:

7. Short-Listing of firms for RFQ 2009-002

Town Clerk Lippman announced we have all the score sheets that were handed in and the short list will include the following firms:

- Mellgren Planning Group
- ILER Planning
- Calvin-Giordano
- Land Design Innovations

The final score sheet shown at the meeting is posted below.



RFQ 2009-002 Town Council Master Short-List Score Sheet

Firm	Browning	Lipp	Louda	Jarriel	Liang	TOTALS
Calvin, Giordano & Associates	2	6	1	2	5	16
Clarion Associates	6	7	2	6	6	27
ILER Planning	3	1	3	3	3	13
Land Design Innovations	5	2	4	7	1	19
Land Planning Solutions, Inc.	8	8	6	4	4	30
Lewis, Stroud & Deutsch, P.L.	7	4	7	8	8	34
Miller Land Planning Consultants	9	5	9	5	7	35
Morris-Depew Associates, Inc.	4	9	8	9	9	39
The Mellgren Planning Group	1	3	5	1	2	12

Councilman Louda made a MOTION to approve the short list of firms for RFQ 2009-002, SECONDED by Councilman Liang and discussion was then opened:

Councilman Louda said I was totally taken aback by the lack of implementation and planning in these. He said it was spelled out in #3 in the RFQ in black and white.

Councilman Jarriel said while we are talking about the short list, I didn't feel comfortable with the last short list and the way we handled it all. He said the groups were all in the same room and listened to each other's presentations. He said I would personally like to see the groups not all in the same room next time and maybe have a drawing out of a hat for who goes first with their presentation.

Town Attorney Tolces responded that is a great idea, but the only problem we have is we can't exclude anyone from a meeting and if they choose to sit in on each other's presentations, we can't do anything about that.

Town Clerk Lippman responded I can be a little more assertive in my recommendation to leave the room and you would think that professionally they would do that but in the future I will make very strong suggestions.

Councilman Jarriel said the other thing I would like to see is us have a short Workshop before the meetings and starting that an hour earlier.

Town Clerk Lippman responded I agree and think we should start the meetings an hour early for presentations.

Councilman Liang said I was thinking that they can all present and then we can hold our comments until they are all done if they don't want to leave the meeting.

Town Clerk Lippman responded I would rather you ask the questions to each firm while they are there and get their answers out. He said I do feel that some of the firms fed off of the other ones in their presentations, but I think you all also figured that out. He said I have not seen too many cases where firms stay in the room but I still think the five of you will make the right decision whether they are in the room or not.

The MOTION passed unanimously 5-0.

GENERAL CONSENSUS WAS GIVEN TO START THE REGULAR TOWN COUNCIL MEETING AT 6PM ON TUESDAY, MAY 2, 2009 TO ACCOMODATE THE SHORT LIST PRESENTATIONS FOR RFQ 2009-002 LAND DEVELOPMENT REGULATIONS.

Town Clerk Lippman said as a matter of record, I would like to enter the original score sheets and if any of the Council Members want to inspect them, they are here for you. He then turned them in to Assistant Town Clerk Kantor.

Mayor Browning moved to Item #8.

8. Resolution 2009-007 (Approval of M.R.E.G.)

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA PROVIDING FOR THE ADOPTION OF THE TOWN'S MASTER ROAD, EQUESTRIAN, AND GREENWAY TRAIL PLAN ("MREG"); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE

Town Attorney Tolces conducted the reading of Resolution 2009-007-Approval of MREG. He explained we prepared this Resolution to formally adopt the MREG Plan.

Councilman Louda made a MOTION to approve Resolution 2009-007-Approval of the MREG Plan, SECONDED by Vice-Mayor Lipp and discussion was then opened:

Councilman Jarriel commented there are a few things that I personally didn't agree with in the MREG Plan and one is B Road being looked at as a thoroughfare from North Road to Southern Boulevard and we wanted equestrian trails along the road and we found out it would be costly to

the residents and I felt that a roundabout would be more sufficient at A Road to include an equestrian trail cross over and because of proximity to the elementary school.

Town Attorney Tolces responded you can always come back and revise the Plan.

The MOTION passed unanimously 5-0.

Mayor Browning moved to Item #9.

9. Comprehensive Plan Update

Town Clerk Lippman said I would like to congratulate the Town Council, the residents of Loxahatchee Groves, and the team at Calvin-Giordano for an excellent job, we are not out of the woods yet, but I would like to bring Shelley Eichner up to explain where we are at this point.

Shelley Eichner, Calvin-Giordano & Associates- said where we are at right now is the DCA published it's Notice of Intent to find us in compliance on April 15, 2009. She said there is a 21-day appeal period for anyone to file an objection to their findings. She said the 21 day period will expire as of May 6, 2009 and if no objection is filed-we are done. She said if an objection is filed then it will then go into a DCA hearing and I'm sure we'll then be called in to assist the DCA in defending their finding of compliance. She said based on conversations we had prior to discuss some of their last minute standing issues we evidently we satisfied their concerns and they understood our justification and rational and they have a better of understanding of the Town and led to their conclusion that they found us in compliance.

Mayor Browning said I want to go on record that I am tickled to death that you go this done. He said you worked together as a team to get our Comprehensive Plan through with only 1 person objecting, I have to say I am very thankful that this went through. He said thank you very much for a job well done and now DCA is defending us and that is good and puts us in a great position.

Vice-Mayor Lipp said I received an email from a concerned resident, Rita Miller, and it is just basically that this person may want to join in an action against the Town with this Comprehensive Plan. He read the following 2 page email and then turned it into Assistant Town Clerk Kantor for the record (see below).

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Dennis Lipp

From: nicknackfarm@aol.com
Sent: Tuesday, April 21, 2009 12:15 AM
To: d_lipp@comcast.net

Hi Denis,

The State Statute I found that may protect agricultural uses on properties of less than 5 acres is 163.3179 Family Homestead. The Palm Beach County ULDC for Grandfathered uses is Article 1. Chapt. F Sec 1 pg.15. I hope the city will expand it to include all properties that were never cited before incorporation.

In the housing section, statements on monitoring aging housing "stock" and aging residents are not specific, qualified or limited and are therefore unacceptable. "Undue interference" is not defined.

"Aid" can be severe interference depending on point of view. Once the legal process to establish competency starts it moves quickly but when you're old you slow down and need to study things. Doesn't mean you are always incompetent in all situations. Having someone monitor and evaluate your every move is overwhelming and confusing. They always seem to find something wrong if it benefits an attorney. I have experienced more than one situation where a lawyer, nurse and urban social worker overwhelmed and evaluated rural residents (who had never been in court) for competency, with prejudice based on well water, rust stains, dirt roads and other everyday rural conditions.

Voters were promised a Rural Town but the city "plan" doesn't even provide town form as TCRPC and the DCA pointed out. Didn't Calvin Giordano tell the DCA that Okeechobee would be developed as projects were approved? Developers and planners know the city plan indicates "not-true-rural" infill designed by city council. Shouldn't residents know the council's plan for Main Street all at once instead of project by project?

Sincerely,

Rita Miller

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The provisions of this Chapter may be suspended or waived by the Director-Town Manager of the ERM-Town of Loxahatchee Groves during a period of officially declared emergency, such as a hurricane, windstorm, tropical storm, flood or similar disaster.

I. Parks and Recreation

Alterations of vegetation pursuant to an adopted management plan for government maintained parks, recreation areas, wildlife management areas, conservation areas and preserves, excluding new construction or parcel improvement.

J. Preserve Management Activities

Preserve management activities provided that:

1. The preserve area is designated by deed restriction, plat, restrictive covenant, or conservation easement and is dedicated to a public entity or approved private conservation group for preservation in perpetuity;

2. The activity furthers the natural values and functions of the ecological communities present, such as clearing firebreaks for prescribed burns or construction of fences; and

3. The preserve area has a preserve management plan approved by ERM Loxahatchee Groves.

K. Projects Requiring an Environmental Resource Permit

A Wetlands Alteration Permit shall not be required for those projects permitted for wetland impacts through the Environmental Resource Permit process by Florida

Department of Environmental Protection or SFWMD, and that are described in Rule 62.050, F.A.C. as amended.

L. Pruning

Pruning of native vegetation in non preserve areas in accordance with the American National Standards Institute, (ANSI) A 300, pursuant to Article 7.E, INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION as revised, to allow for healthy growth, to promote safety, and to remove dead or dying vegetation, provided there is no cutting back of limbs to a point between branch collars or buds larger than one inch in diameter within the tree's crown.

M. Utilities, Water Control, Water Management Districts, and Road R-O-W

Alteration of vegetation is permitted within drainage easements associated with repairs to or maintenance of existing canal structures at the direction of water control districts, or water management districts within drainage easements, where the vegetation is interfering with drainage or services provided by the water control districts or water management districts. Alteration of vegetation is permitted within a utility easement, where the vegetation is interfering with services provided by a utility. Alteration of vegetation is permitted within a road R-O-W for normal maintenance activities. Alteration associated with new construction is not an exempt activity.

N. Survey or Other Test Required

The necessary removal of vegetation by, or at the direction of, a State of Florida licensed professional surveyor and mapper, professional geologist, or professional engineer to conduct a survey or other required test, provided that no tree three inches or greater DBH is removed, the path cleared does not exceed five feet in width, and native vegetation is removed solely by hand.

Section 9 Vegetation Removal Notice for Single Family Residential Parcels

The initial construction of a single family unit or a single two unit (duplex) residence or associate accessory structures on parcels less than two and one half acres in gross size shall require a VRN. The notice conditions are:

A. Minimum Alteration

Removal of native vegetation shall be limited to the minimum necessary to accomplish the purpose of the site plan. A site plan that eliminates or nearly eliminates native vegetation will not be approved under this Chapter. Specimen tree removal shall require mitigation.

B. Removal of Prohibited Invasive Non-Native Vegetation

Councilman Liang said I was just wondering maybe since we know we have at least 1 person or entity that will be filing with the DCA if we could formally talk to them and maybe work

something out with them without having to go through the whole DCA process. He said I am talking about Indian Trails and Callery Judge Groves.

Mayor Browning said I am planning on making a call to them.

Councilman Jarriel said I have spoken with Nat Roberts a couple of times and I could be wrong but I don't think they are going to file. He said Mr. Roberts was upset by a couple of things, but those things have been cleared up and I am hoping that he will not file. He said in short form he is looking for a Town that wants to communicate and try to solve the problems that we all have out here, with roads and traffic, and all he wants to see from this new Town is communication and us coming together as a group to try and solve some of these problems. He said and he was very thankful that I being a new Council Member took time out to come by and introduce myself to talk to him and he said he was going to try and be here tonight but he had a priority with Indian Trails and that he might come in late.

Mayor Browning moved to Item #10.

10. PBC Local Area Planning 2009 Funding Cycle (Okeechobee Blvd.)

Town Clerk Lippman said pursuant to direction from the last Town Council Meeting we are bringing back a scope of work as well as the financial impact of getting involved in the PBC LAP Funding Cycle for 2009. He said you have this in your packet on the dais listed as #10 and it goes along with this Agenda Item and is the scope of services that has been supplied to you.

Jeff Maxwell, Calvin-Giordano- said what you have before you tonight is a proposal of 2 roundabout studies and that is not set in stone, so if you change your mind and want to go with B Road that can be changed. He said we need to get actual speed data on Okeechobee vs.-the data from the PBC we relied on. He said we will put together safety and speed studies and a final report and then we can approach PBC and show them what our findings are.

Vice-Mayor Lipp made a MOTION to approve the proposal that outlines the scope and cost needed to prepare the necessary engineering studies needed to possibly qualify for the PBC L.A.P. 2009 funding cycle specifically the project involving the construction of roundabouts at the intersections of B Road and Okeechobee Boulevard, as well as, F Road and Okeechobee Boulevard, SECONDED by Councilman Louda and discussion was then opened:

Vice-Mayor Lipp said I had an opportunity to be in Broward County today and Jeff took me and showed me a roundabout they had built there and what I saw was that it truly can handle the heaviest truck on the road. He said it is an impressive site and 6-8 feet in are brick pavers so that it looks differently and is the same color brick paver that is on the cross walk. He said the concern that I've heard from our neighbors is someone coming in Southbound on B, A, or F Road and then tries to go east and with this design Jeff has come up with it would not be an issue at all. He said I don't think we would go with Royal Palms and I am thinking more pompous grass. He said it was a very nice structure and I think it would work well here in Loxahatchee Groves.

Mayor Browning asked where is that roundabout.

Mr. Maxwell responded that is in the City of Weston at the entrance to Regional Park.

Councilman Louda said at our last IGC Meeting, Supervisor Snowball said he has an 80 foot rig that he worries about.

Mr. Maxwell responded we design them to handle the largest semi truck and these days it is the largest one that Wal-Mart is using.

Councilman Louda said I can see how they can do a 180 and asked can they do a 270.

Mr. Maxwell responded absolutely you can make all movements throughout the roundabout and that is the purpose of it.

Councilman Liang said I know the majority of the people want signals more than roundabouts, so my only concern is people don't want a roundabout. He said I don't want to see us trying to pursue money that could go toward another project that perhaps the Town needs rather than before we just try to get money for the sake of getting money. He said I just want to make sure the needs of the people are addressed first.

Councilman Louda said I don't think this is for the sake of getting money. He said for years even back when I was the President of the LGLA, we have been trying to get some traffic controls on Okeechobee and chasing after signalization unless you really want to put through a big road to Okeechobee that warrants a light, this is the only way to get it.

Councilman Liang said I know that the people need traffic control, but from my understanding the majority of people don't want a roundabout and that is my only concern. He said I just want to make sure we get what the people want and not just whatever we can get just because we can get it and that is my part.

Councilman Jarriel said I would like to address this as a professional truck driver and I've been driving for over 20 years. He said the roundabouts are a solution that we need greatly and I don't agree with B Road, but I do agree with A Road and F Road and with these roundabouts we need to figure out how the equestrians can use them also. He said to get a red light in Loxahatchee Groves is next to impossible. He said we need the roundabouts and they have been proven, and if the residents that are in concern about them not working, they need to go down to Broward and check them out for themselves and if we can get them through the LAP Program I believe we need to get everything from the County that we can.

Town Clerk Lippman said in being involved in the workshops for Strategic Visioning, Comprehensive Planning, and the MREG, the citizens we're definitely in favor of a signal or a roundabout on Okeechobee, whichever would work. He said as long as the roundabouts deal with the semis, fire trucks, and equestrian trails, then at least from what we have heard in the Planning Workshops they would be in the favor of moving forward.

Vice-Mayor Lipp said well one of the things with the equestrian trails and the roundabout that I saw today is the equestrians would be on one side or the other of the roundabout and I think what impressed me the most was the use of these pavers in the right of way. He said and Jeff had pointed out today, they could also put a slow down speed table in that area so it will slow the traffic down even more.

Councilman Louda asked in the study of Professional Engineering Services, can you put what Vice-Mayor Lipp just brought up to think about the equestrian on the roundabout.

Mr. Maxwell responded part of the study is how well we could tie in the trails system so that would have to be addressed. He said the speed table is a raised table that slows traffic to 20-25 miles per hour and the horses can walk on it as well, it is rubberized and it is easier on their joints.

Councilman Liang said I am thinking if I was the County I wouldn't let that happen on a major thoroughfare.

Mr. Maxwell responded that is the approach delay and what happens with the traffic signals is it stops the flow to 0 so the average delay is actually better with the roundabout than with the traffic signal.

Mayor Browning said and it is going to be safer for our residents.

Town Attorney Tolces said we will prepare the standard agreement similar to the one you saw earlier tonight.

The MOTION passed unanimously 5-0.

Mayor Browning moved to Item #10(a).

10(a). FDEP Grant Application (This item was added to the Agenda at the beginning of the meeting)

Town Clerk Lippman said I reported back to you during the funding cycle when the stimulus money became available and we had to back down from it, one of the things we did was put our name on a waiting list for an FDEP application and the first step was to be on the waiting list and to be accepted into the application cycle and at this point the application cycle is coming very fast. He said the Town previously about a year ago authorized the use of a grant writer. He said the grant writer that we have available to us would take it to the next level and submit applications and do the research for us. He said the reason this is coming from Calvin-Giordano is because this specializes in the engineering services they are providing to the Town which is why they are presenting this evening.

Councilman Louda asked can you explain the grant and why the study is needed.

Mr. Maxwell responded there are a lot of grants available to communities like Loxahatchee Groves, and we think this has a very good potential to be ranked very highly in this program and that is why we want to pursue it. He said we would be talking to them about OGEM surfacing or hard pavement surfacing and how that would filter the particular matter. He said in order to get to the next step we need to provide them with scientific data which means we need to give them the suspended solids information and other information and anything that we can get them to see this will benefit the aquifers and drainage canals and systems in the area. He said the proposal you have in front of you is for the technical aspects, full submittal, and follow up with the agency.

Town Clerk Lippman asked Mr. Maxwell to explain what the commitment of the Town would be in reference to any matching funding.

Mr. Maxwell said they usually look for a 40% match from the Town. He said we are thinking of requesting \$4million dollars to do this application, however, there are some creative funding sources available to Towns like Loxahatchee Groves where you could apply for an get funding through another arm of the government where you could get a negative interest rate over a 20yr period so essentially you are getting a 100% reimbursement but under the eyes of having a 60% -40% split.

Vice-Mayor Lipp said at the last Water Resources Task Force Meeting Clete and I were told about a 200 acre filter marsh that Wellington is getting built with the help of SFWMD to filter water and be able to discharge that into the C 51 basin and asked Mr. Maxwell if he was familiar with that project at all.

Councilman Louda said I don't think this would address that at all. He said my only question is are we under any mandate to do a study like this.

Mr. Maxwell responded not at this time we are not.

Town Clerk Lippman said there was never any direction by Town Council and the idea came out when the stimulus money came out and that is when we submitted the application and now is the time to pursue it.

Mayor Browning asked for comments from the Public.

Clete Saunier, LGWCD Administrator- said I am not familiar with what this is all about but my question is will it then be considered a baseline water analysis of the community's water discharging into the C51 canal.

Mr. Maxwell responded it is not a baseline it is an improvement process so we wouldn't even have to implement all the improvements that we apply for in this package.

Mr. Saunier said my concern involves the push that has been within the last year regarding storm water utilities and there is a big drive with some private consultants to emphasize how great these things are for certain communities, in which they aren't. He said the concern I have is if you have a base line analysis done, then subsequent analysis's of your water flow should they stray from that baseline, you would then be responsible and liable in keeping that baseline intact. He said and there is also a significant amount of expense associated with the constant monitoring of that water quality to prove you are within your baseline readings, so without knowing the details, do we really want to open up this can of worms to say here is our baseline and then we have to come back and have to be held to it and possibly be sued by the DEP to get it in compliance as soon as possible. He said not unlike what the Wellington Council went through with the project that Vice-Mayor Lipp referred to. He said there is a cost associated with the maintenance of that area and I'm not sure if the grant funding is only for the initial improvement but there is long term maintenance responsibility of that system once it is in place. He said I would caution you that if this is going to possibly result in that, you may want to wait a little bit longer than just this meeting and discuss it.

Councilman Jarriel said I personally think we can use the \$8000.00 for something more constructive at this time especially since it isn't mandated. He said and I happen to agree with Clete and once you start a project and get a baseline, then they are going to hold you to that. He said I say we hold off on this situation at this time.

Vice-Mayor Lipp asked is this something we can table to a future meeting.

Town Clerk Lippman said unfortunately there is a deadline but there will be other opportunities.

Mr. Maxwell said the baseline is probably a little bit different because we are not talking about putting in the level of infrastructure Clete is talking about, we are talking about a surface treatment with OGEM, which they understand is pervious and they would be looking at it to improve the air particulant matter and some of the suspended solids but they understand this is not going to be a cure.

Vice-Mayor Lipp said so we are looking for a grant to put OGEM down on all the surface roads in Loxahatchee Groves.

Mr. Maxwell said yes and you can take that on whatever schedule you like.

Vice-Mayor Lipp said now one of the things that another engineer had brought to my attention about OGEM is that it requires a maintenance in order to maintain its permeability.

Mr. Maxwell said intuitively I would say there would have to be some type of maintenance.

Town Clerk Lippman said we did speak with the firm that did do the OGEM and there is a process called fox sealing that you have to do every 2-3 years or so, but as long as you are doing this process and you are handling the patches or potholes that are created then you could go for about 10 years before you have to do some resurfacing.

Councilman Louda said I misunderstood this.

Councilman Jarriel said I definitely misunderstood this.

Town Clerk Lippman said the deadline is in 10 days and whatever funds we get could be used for road resurfacing and fixing drainage in certain areas that are a problem.

Councilman Liang said this sounds very nice, but I really wish we had time to really look it over. He said I don't know if we could make a vote and then pending what we find we could turn it over last minute. He said because we can get stuck with something very small that can cost us a lot. He said from a general description of what this is it sounds very nice, but I would like to look into it a little bit further.

Mr. Maxwell responded we are under a tight deadline on this one and but they do come around every year and you could try again next year at this time for the same grant.

Councilman Liang asked well can we apply and then if we decide by the next meeting that this doesn't look good we can withdraw our application.

Mr. Maxwell responded the only thing with that is once they go through the trouble of approving you they get pretty upset when you don't take the money.

Vice-Mayor Lipp said in looking at this, as long as we are not shooting ourselves in the foot by setting a baseline and I think that if we can qualify ourselves for \$4 million of road surface treatments I think it would be worth spending the money.

Vice-Mayor Lipp made a MOTION to approve the agreement with Calvin-Giordano to process the application for the Grant Cycle for DEP air quality improvement, SECONDED by Councilman Louda and discussion was then continued:

Councilman Louda mentioned bringing up what Councilman Liang said earlier, the plus hourly and fee breakdown is noted and after putting this together, what reasonable extra hours do you see popping up.

Mr. Maxwell responded what we did on this one is pulled the hourly rate.

Town Attorney Tolces said what we will do is remove the paragraph on reimbursable expenses.

Town Clerk Lippman said one of the tricks in the grant world is when you go after one this big, you have to be very careful, especially a Town of our size, in what grants we pursue. He said whatever grants we pursue they will cost some money to pursue them so we have to be careful to make sure this is something we really can get. He said we try to be careful to not bring you things we don't think we have a shot at, but because we think we have a good shot, we think it is worth the gamble but we can't guarantee it will bring back \$4 million but we can guarantee we will try very hard.

Councilman Louda said we have to come up with \$1.6 million to get the \$4 million.

Mr. Maxwell responded there are several programs where they can get your portion of your share to you at either a low or negative interest loan.

Councilman Jarriel asked if we pursue this, how long till we have a yes or no.

Mr. Maxwell said we have to have this in by mid-May and they make decisions mid-September and then the funding would be available in January.

Councilman Jarriel asked if they don't approve us this year, would we have to do the study for Professional Engineering Services again.

Mr. Maxwell said certainly not the big study again, maybe a touch up.

The MOTION passed unanimously 5-0.

Mayor Browning moved to Item #11.

11. Building Moratorium

Town Attorney Tolces explained that Item #11 is pertaining to the existing Moratorium that is currently imposed in the Town in order to allow the Town to adopt its Comprehensive Plan and its Land Development Regulations. He said the last amendment to the Moratorium was adopted in November of 2008 which extended the Moratorium up through May 30, 2009, so we are coming up to the end of the Moratorium. He said we recognize that the Comprehensive Plan has been found in compliance by DCA, but in the event there is a challenge and a DOA hearing there would be some additional time to finalize the Comprehensive Plan. He said and you just short listed your firms who would draft your LDR's. He said so we will do our best to get everything adopted by the end of this year. He said the importance to how quickly we get this done adopted is that you have a concern with respect to individual property owners property rights and you want to make sure that you are not delaying their ability to develop that property. He said we feel that if we move this process forward as quickly as possible and get done by the end of the year that we would be in good shape.

GENERAL CONSENSUS WAS GIVEN TO DIRECT COUNSEL TO DRAFT AN ORDINANCE TO EXTEND THE MORATORIUM FOR 9 MONTHS AND PLACE THE ADVERTISEMENTS FOR THE FIRST READING TO BE MAY 5, 2009.

Town Attorney Tolces explained that the Ordinance could always be terminated sooner than the 9 months.

Vice-Mayor Lipp asked Town Attorney Tolces on Agenda Item #12 does it express how Loxahatchee Equestrian Partners and other concerned people can start moving ahead now.

Town Attorney Tolces responded yes, through the adoption of 2 exemptions to the Moratorium you provided for the ability for certain property owners to come forward and at least apply for a LUPA or a Comprehensive Plan Amendment with respect to the Comprehensive Plan as it has been adopted and found in compliance by DCA, so they would still be able to go through that process under the Ordinance, however, there is no obligation to the Town Council to consider or to transmit that amendment up to DCA. He said the Council just felt that it was in the best interest to at least allow these people to submit their applications. He said so Item #12 deals with that application process. He said one other thing is part of the Town's obligation to adopt the Town's Comprehensive Plan and LDR's you will also be looking at likely retaining a planning firm to act as your Town Planner and to accept applications for rezoning, site plans, and plats, as well as, coordinating with PBC for the transition of planning services from the County back to the Town and that would all be happening by the end of this year. He said it would take you through February 2010. He said we are hopeful that it won't need to last that long.

Councilman Louda said we ought to keep it in effect until we are set as long as we have a way for some of these properties to ask for exemptions.

Mayor Browning moved to Item #12.

12. Land Use Amendment Application Review Process (LRMI)

Town Clerk Lippman said at the last Town Council Meeting the Town Council voted to pursue having an outside firm administer the LUPA review application. He said we have LRMI here tonight with we do have a contractual obligation with them and we are just doing this tonight to educate you on what we are doing and answer any questions or concerns you might have. He said the goal is to come back to you at the May 5, 2009 meeting with a Resolution that adopts this process.

Jim Fleishman, LRMI- said we put together the package which essentially has 3 components. He said the first component is the overview of the process. He said to answer Vice-Mayor Lipp's question, until such time that the Comprehensive Plan is found in compliance, the process would stop at step #7 and once the Plan is finally in compliance then we could proceed with the steps after that. He pointed out a correction he wanted to make on Page 2, 7c to end the sentence after the 1st time use of the wording of "nearby properties."

Town Clerk Lippman said once this is adopted by Resolution, we will talk about when this process would begin. He said there is a small scale and large scale amendment. He said from the time the Resolution is passed, any small scale or large scale amendment would have to be submitted within 4 weeks. He said from that time, any large scale amendment could be submitted 6 months from that time and any small scale amendment could be submitted every 3 months, so you have 4 cycles in the year that small scale could be submitted, and large scale would be 4 weeks from the adoption of the Resolution and then 6 months after that. He said this would not be processed by the Town, but we would assist in any way we could. He said in addition another thing that will be brought forward with the Resolution will be the discussion of fees. He said very consistent with the County there is an escrow involved and typically with a large scale amendment the escrow that is asked moving forward is \$10,000.00 and with the small scale amendment it is \$5000.00 and whatever is not used is refundable.

Vice-Mayor Lipp asked could you give us a benchmark between a large scale and a small scale.

Mr. Fleishman responded anything under 10 acres is a small scale as long as it is not involved with residential density of 10 units per acre or more. He said we are recommending escrow accounts be set up for both large and small scale amendments. He said \$6000.00 for our services, \$2000.00 for advertising, and another \$2000.00 just in case we have to bring in technical consultants. He said on the small scale it is \$3000.00, \$1000.00 and \$1000.00 respectively.

Mayor Browning asked and this is cost neutral to the Town.

Town Clerk Lippman said there is no cost whatsoever.

Councilman Louda commented go forward.

Mayor Browning said it gives people an option to go with stuff.

GENERAL CONSENSUS WAS GIVEN TO APPROVE THE LAND USE PLAN AMENDMENT PROCEDURES THAT WILL BE ADMINISTERED BY LAND RESEARCH MANAGEMENT, INC. (LRMI).

Mayor Browning moved to Item #13.

13. O.G.E.M. improvement to South B and South F (unfinished portion)

Town Clerk Lippman said Item #13 was added to the Agenda at the request of Councilman Louda.

Councilman Louda said I put this on since we have the MREG out and it is common sense that B and F Roads are going to Southern, they have the light. He said I really wish that the citizens on South B had not put forward a petition so I could suggest what I am going to suggest without them thinking it is because of the petition, and I would like to see us go ahead and pursue funding to finish F Road and do B with OGEM and outline an equestrian trail on what is left of South F Road to do and on B, not only for living up to the MREG, but because we are going to the County to request to do something with their road, Okeechobee, and because we are going to the MPO to request funding through the LAP cycle to request funding on Okeechobee, so if we show good faith we are moving forward, however fast, however, slow on preparing these roads for that eventuality that we would have a better chance of getting through the process. He said and down the road as Councilman Jarriel already mentioned, is D, B and F are going to serve our residents but also other people, D is the one which is going to serve us. He said I think that B and F could probably be funded in a 3 year program with existing gas taxes but still not attack our gas tax money without leaving something for emergencies. He said but I would like to see us go forward as soon as possible on B and F. He said with F, maybe the Chamber of Commerce or Groves Medical Plaza will do something, but I don't see it coming. He said we need to get a hold of the Chamber of Commerce and ask them to do at least up to Citrus from their position. He said I don't think we are going to get a traffic light on Southern until we do something until we do something with South D.

Councilman Louda made a MOTION to look into funding and see how we can use the gas tax money to OGEM F Road and then B Road based on the decision of the MREG Plan and what makes sense, and not because of the people who put in the petition, The MOTION died due to lack of a SECOND.

Town Attorney Tolces suggested holding the Public comments on this issue until the Public Comments section at the end of the meeting since the motion died due to lack of a second.

Mayor Browning moved to Item #14.

14. April 17, 2009 Intergovernmental Coordination Meeting

Councilman Louda handed out the following notes from both the April 17, 2009 Intergovernmental Coordination Meeting and the April 20, 2009 Meeting between representatives of the Town, LGWCD, and PBC Water Utilities (see below.) He then read Item #10 regarding 40th Street North and North Road Canal into the record from the IGC Meeting.

Drs. J. William and Deborah W. Louda

Standing Waters Estate

P.O. Box 1238, 1300 E Road

LOXAHATCHEE GROVES, FLORIDA 33470



MEMORANDUM

TO: Mayor David Browning, Councilman Ron Jarriel, Councilman Ryan Liang, Councilman Dennis Lipp, Town Staff cc:LGWCD

FROM: Dr. J. William Louda, Councilman (Seat #2)

DATE: APRIL 18, 2009 (filed April 21, 2009)

SUBJECT: Report on ^{5th}Fourth Intergovernmental (ToLG / LGWCD) Coordination Meeting (ICM) held on Friday April 17, 2009.

Meeting was held as advertised.

ITEMS 1-4 ; Opening

ITEM #5; Minutes of March 13 approved after the one noted change that LGWCD Administrator Saunier not Supervisor Ryan had made a certain motion.

ITEM #6: Water Conservation and Fire Suppression; Mrs. Elise Ryan had supplied LGWCD Administrator with the latest SFWMD plots of water levels. This was discussed in light of impending water restrictions.

A history of the last 3 months regarding meetings which I, Town and LGWCD staff had participated in, including both IGC and with P. B. Co. Fire-Rescue, had been prepared by My. Lippman and was included as backup material.

Monday, April 20, 2009 I, Mr. Lippman and Mr. Saunier will meet (met by this reading-separate report to be filed) with Mr. Bevin Beaudet of Palm Beach County Water Utilities to discuss the potential and costs of running a circulating loops of reclaimed water throughout the community (west side of LGWCD canals basically) in order to provide fire hydrants for both truck fill and direct hose operations during fire suppression activities.

On Wednesday April 8th, I took my Environmental Chemistry class on an olfactory field trip to the Boca Raton reclaimed water facility. This trip was arranged through the FDEP with Ms. Lisa Self acting as our chaperone / guide. At site, I discussed the uses of reclaimed water with Ms. Self as well as Mr. Gabe Destio, Superintendent of Plant Operations. Following this tour, I contacted Ms. Self for written clarification /

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reinforcement of what we discussed. That email and reply is appended here. In essence, we cannot directly put reclaimed water into our canals (too much nitrogen [N] and chlorine [Cl], as well as other (P, BOD, TSS, etc.) constituents. Should we decide to do this, we (LGWCD & ToLG) would need to establish a pretreatment facility and then test the water going into the canals for a wide variety of water quality parameters on a daily basis with reports to the FDEP on a monthly basis.

Mr. Saunier had spoken with other members of the FASD (Florida Association of Special Districts) and suggested using artificial wetlands to cleanup the waters before direct recharge of the canals. This I agree with 100% but caution that this would require a large tract of land, an operator or 2 and still would require daily testing. It is, however, very much worth pursuing as grants for this type of eco-friendly operation should be available.

More information is in the accompanying report of the Monday April 21 meeting.

ITEM # 7: Coordination between the Town & LGWCD relating to the Town Comprehensive Plan: Aside from a round of relief and joy that the Plan had been found in compliance by DCA there was little else to discuss. Mr. Saunier and I discussed the LGWCD's filing as an intervener and I came away satisfied that it was in the Town's interest to have them officially listed for support of the plan. Thus, I hope that that issue I sat rest.

ITEM # 8,9 & 13, were discussed as a single item due to their strong overlaps. (i.e. 8 = Road Maintenance and Jurisdiction; 9 = Coordination Between the Town and LGWCD relating to Road Improvements and 13 = Town / LGWCD Funding ILA's:

The results of the Town's MREG Plan were discussed and I stated that I wanted go forward with the completion of F Road and OGEM South B Road (based 100% on the MREG and common sense and NOT due to a petition. This I placed within the context of showing that the Town and LGWCD were moving on the MREG and thus lend credence to the asking the County and the MPO (Metropolitan Planning Organization) to approve roundabouts at B/Okee and F/Okee as well as fund these through the LAP (Local Area Planning) vehicle.

Mr. Snowball stated that he, with an 80 foot rig, was against roundabouts.

Mr. Saunier stated that his Board wanted the Town and LGWCD to approach Count and the The League of Cities to revamp the ILA in order to assure that all of our qualified lane miles would never be questioned. The full minutes to be supplied by Ms. L. Ballard will fill in my gaps here. In addition, I believe that we asked Mr. Lippman to add this item to the May 19th agenda for the Town.

Mr. Saunier also brought forward a request for the Town to consider setting aside (providing) a set amount from the gas tax monies each year in order to offset any need to increase LGWCD assessment. I offered a counter argument that as we improve F and B and add roundabouts, overall maintenance "should" be decreased and those savings, no matter how small should be deducted from existing or increased assessments. Additionally, I reiterated my desire to see South D Road improved, as that is the main route which funnels our citizens to our "downtown".

The fact that the Town and the LGWCD need to come up with horse trail standards and a mechanism to fund their construction was discussed. To that end, I reiterated my stand that the equestrians in our community need to present a unified presence in such a way that they can become part of the solution rather than just complaining about road surfaces and no place to ride. Hell, I keep losing friends from every facet of this community in this "job", but this needs to be aired!

ITEM #10: 40th Street North and North Road Canal: The meeting IS on Saturday May 2. I informed the IGC that I am unable to attend but will submit a short (Louda – short? Ha!) note to be read into the record for that meeting. The District has \$40,000 from the County as part of the ILA when the pipes were ran along North Canal and that is earmarked for an equestrian trail. The Town needs to work with the LGWCD, and the equestrians (!), to go forward with planning this. The access road / drives and any new culvert crossings, we heard that the Liangs and Lopes are investigating this as an option, need to be worked out. Mr. Saunier stated that a new 140th / E-Road culvert bridge, diverting traffic away from the Sunsport crossover should be considered as an option. I stated that that 'might' give the appearance of a new thoroughfare to those who have not considered it in the past. That does, however, deserve consideration. I personally favor getting access to properties north of North Canal by use of the closest existing culverts and keeping away from connecting the access drives in such a way so as to NOT generate a full E-W road along the north side of North canal.

I am sorry that I must miss this meeting—it promises to be 'interesting', shall we say?

ITEM #11: FEDERAL FUNDING SOURCES: Dr. Rosenbaum gave a quick overview of the monitoring of source that the Town is performing. The "information" and "History" sections of the agenda package for this item were referred to and we moved on.

Item #12: Coordination of Equestrian Trails; My notes in this report to this point make it clear that the Town needs to work closely with LGWCD on this point and the equestrian community needs to step up the plate NOW! North A-Road is going forward, it is hoped that South B will go forward and something will obviously be done on "40th Street N" (I personally do not like that designation for that area).

A workshop or 6 may need to get this rolling. I suggested contacting Mrs. Peggy Kovaks and Mrs. Lisa Hyslop as residents that could potentially take point on the equestrian side of the issue. Others might include Mrs. Ruth Menor, Mrs. Joyce Batchelor, Mr. Dave Autrey, and those recommended by each.

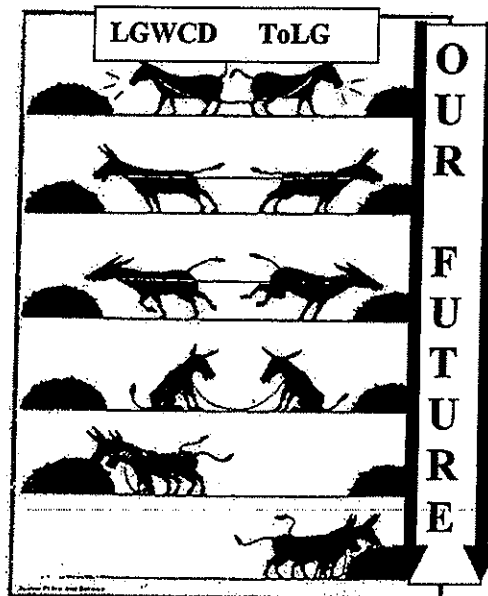
ITEM #14: Biodiesel Alternative: I had requested that this issue be put on the agenda for 2 main reasons. (1) The Town and The LGWCD need to work cooperatively to lower this community's carbon-footprint. Okay, I teach Environmental Chemistry and as an environmentalist this is a 'feel good' item. However, if the Town and the LGWCD can in fact prove that we are working towards a lowered carbon footprint, we not only fulfill certain State and Federal mandates but we open the door for grants to expand our efforts. (2) While visiting the Cape Eleuthera Institute in the Bahamas, I saw first hand how facile the generation of biodiesel really is. In fact, in Loxahatchee Groves we have 2 residents who do this, Mr. Eric Marple and Mr. John Shoquette. My original thought was

to have the Town and LGWCD jointly apply for a grant to build a small building (appx. 12 x 16 ft) and purchase the tanks and initial supplies to construct a biodiesel facility on the LGWCD property where the old RoadOyl tank was located. Of course it would need to be manned. Dr. Rosenbaum immediately came forward with the idea that there are grants to establish demonstration facilities and he will pursue that.

Biodiesel can be used in any diesel engine at level up to 20% (BD20). Over that, small but easy adjustments need to be made. Biodiesel is not taxed and is very clean burning with the only down-side is given anyone smelling the exhaust a string urge to go get some French fries.

I provided the Town and the LGWCD with a large packet of information on Biodiesel.

As this is my last participation in the Intergovernmental Committee, I want to take this opportunity to thank the Town and the District for following through on the Town's unanimous vote (5:0) to abide by the results of the financial feasibility study. That is, if we can agree to disagree than maybe we find agreement on the issues vital to the future of our community.



Keep trying mon.

J. William Louda

From: Self, Lisa M. [Lisa.M.Self@dep.state.fl.us]
Sent: Wednesday, April 15, 2009 4:28 PM
To: J. William Louda
Cc: Claridge, Kevin; Llorens, Cristina; Calas, Jose; Khan, Hafeeza
Subject: RE: Hello and reclaimed question, water that is

Dear Bill,

Where you can use public-access quality reclaimed water, simplified version: landscape irrigation (with certain restrictions), agricultural irrigation (again, with restrictions), cooling units, fire suppression, aesthetic features such as outdoor fountains, Industrial uses as approved by DEP, and some toilet flushing. Other uses may be individually approved upon DEP's review. Before beginning any new use, check with us about how to do it properly and whether it needs a permit revision.

You are correct that the reclaimed water cannot be discharged directly to the canals, and the C-51 Canal is definitely surface waters of the State.

Total residual chlorine levels for surface water discharges, such as to canals, are limited to no more than 0.01 mg/L, while the required chlorine levels for disinfection of the reclaimed water are no less than 1.0 mg/L. Therefore, the chlorine in the reclaimed water is at least 1000 times too high at the end of the treatment process.

Unless the chlorine levels have been proven (through sampling and analysis) to drop low enough before the reclaimed water hits the receiving surface water, the discharge to canals would violate the federal Clean Water Act rules and Florida's Statutes and Rules (especially Chapter 62-610, Fla. Admin. Code, for reclaimed water, and 62-302, Fla. Admin. Code, for surface water standards). The chlorine may decay sufficiently during the water's travel from the treatment plant to the discharge point, or it can be removed through an additional treatment process. Nitrogen and phosphorus also would have to be removed.

Any reclaimed water discharged directly to a surface water also must meet all the other applicable standards in state and federal rules. See the following table for surface water standards: [62-302.530](#), and <http://www.dep.state.fl.us/legal/rules/drinkingwater/62-550.pdf> for Tables 1 through 6 for drinking water standards. Additionally, the South Florida Water Management District or other authorities may impose restrictions on supplemented canal water that reaches their jurisdiction(s).

LGWCD would have to either (1) provide the additional treatment processes needed, generate the necessary data and documentation and apply for permits, or (2) persuade the utility supplying reclaimed water to do so. Once approved, the permittee would have to monitor the discharged water's quality daily for multiple quality parameters (N, P, total residual chlorine, etc.) and report monthly to DEP.

Any unauthorized discharge to surface waters carries a penalty of \$5,000.00 per day of discharge. Violations of water quality standards in the receiving water carry additional penalties per day. These penalties apply regardless of whether you have a permit. Failure to acquire a permit for an activity that requires one results in additional per-day penalties.

Bevin Beaudet has a long history of familiarity with the rules and Palm Beach County's reclaimed water uses, and the County's is one of our District's most exemplary reclaimed water systems. Mr. Beaudet and his staff can

4/15/2009

lo and reclaimed question, water that is

Page 2 of 3

guide you on such things as necessary color coding, preventing unauthorized access to the system, backflow prevention requirements, and all the rest. Of course, you can also contact me any time.

I hope this helps—please let me know if you would like more information.

Lisa Self
SE District Water Facilities Program
561-681-6699

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: J. William Louda [mailto:blouda@fau.edu]
Sent: Wednesday, April 15, 2009 2:06 PM
To: Self, Lisa M.
Subject: Hello and reclaimed question, water that is

Dear Lisa;

Thanks again for setting up the tour of the Boca Plant.

Is there a 'simplified' version of where reclaimed water can be discharged. I (as a Councilman in Loxahatchee Groves, not my FAU hat) have a meeting with Beavin Beaudet (P.B.Co. Utilities) and our Town (Loxahatchee Groves) this Monday to discuss the potential and cost of a reclaimed water pipe system for fire suppression. However, our water control district (Loxahatchee Groves Water Control District, Mr. Clete Saunier, Administrator) keep pressing me as to why we just can't DIRECTLY fill our canals. As far as I know, our canals are "waters of the State" (direct connection to C51 etc.). Any direct info you can provide would be a big help.

The one thing on regs that you sent, I did read. I saw only limits on TDS, coliforms and N that would prevent discharge. Are not P and Cl also limited ??

Cheers and thanks.

Bill

Dr. J. William Louda, Senior Scientist
Department of Chemistry and Biochemistry
and The Environmental Sciences Program
Florida Atlantic University
777 Glades Road
Boca Raton, FL 33431 USA

4/15/2009



Drs. J. William and Deborah W. Louda
Standing Waters Estate

P.O. Box 1238, 1300 E Road
LOXAHATCHEE GROVES, FLORIDA 33470



MEMORANDUM

TO: Mayor David Browning, Councilman Ron Jarriel, Councilman Ryan Liang, Councilman Dennis Lipp, Town Staff cc:LGWCD, Mr. B. Beaudet (P.B.Co. Water Utilities)

FROM: Dr. J. William Louda, Councilman (Seat #2)

DATE: APRIL 20, 2009 (filed April 21, 2009)

SUBJECT: Report on meeting between representatives of the Town, LGWCD and Palm Beach County Water Utilities.

On Monday April 20, 2009 I met with Mr. Clete Saunier (Administrator, LGWCD) and Mr. Bevin Beaudet (Director, Palm Beach County Water Utilities) to discuss possible uses of reclaimed water in Loxahatchee Groves. Mr. Matthew Lippman (Town Clerk) was to be at the meeting but had a family emergency.

Mr. Beaudet filed us in on the ECR (East County Regional) Plant: aka ECRWRF East Central Regional Water Reclamation Facility) located several miles east of Loxahatchee Groves and north of Okeechobee Boulevard. Capacity is being increased and a reclaimed water pipe (36 inch diameter, 125 psig) will be ran along County right-of-way west on Okeechobee Boulevard to the West County Energy Center (WCEC). Florida Power & Light (FP&L, Synergy Inc.) is paying for the pipe installation and will use 22 MGD (million gallons per day) and up to 27 MGD once unit #3 is operational. You may have noticed the lavender pipes being installed by the Royal Palm Beach High School. This is due to getting the pipes in the ground before a repaving occurs. The WCEC and the pipe is slated to be on-line and functional by June 2011. NOTE: As we may be able to move forward with roundabouts on Okeechobee at B and F Roads sooner than the pipe is installed, it would behoove us to remember to approach P.B.Co. Utilities to have pipes installed ahead of time there also in order to preclude tearing up those areas.

I had previously suggested that we pursue reclaimed water in a looped system going down the west side of all letter canals in order to provide both fire suppression and an opportunity for our Ag interests to obtain water. During the meeting it became clear that the water would cost \$ 1.00 / 1,000 gallons and would not be financially reasonable for large users. Additionally, to do this complex loop system it would require 25-28 miles of pipe and >45 hydrants. After the system is up and WCEC finds what their real use is, Mr. Beaudet believes that the cost will come down and it may then be economically feasible to expand the system to include irrigation purposes.

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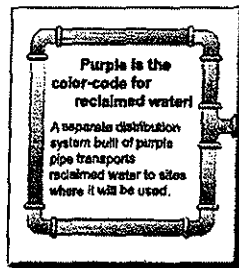
Mr. Saunier (LGWCD) forwarded a suggestion which I wish our Council to seriously consider. On the appended maps, I show two (2) smaller single loop systems, one each north and south of Okeechobee Boulevard. This system would have minimal intrusion on the groves, save a few properties with which the Town would need to elicit the cooperation of owners. However, as there are utility easements along most if not all north and south property borders this should be doable. Additionally, property owners would need to be educated that having that line ran along their property would ensure that a hydrant would be by their property at the road. That is, immediate proximity to a hydrant would lower one's homeowner's insurance. Additionally, we might even be able to work out a system whereby the property owner could pay for their own hydrant should they so desire.

Mr. Beaudet is extremely cooperative in this effort and has offered to approach FP&L with us in June of this year in order to begin talks regarding installing this system and seeing how much FP&L would help in that process.

Aside from the looped system which would put a hydrant in about the middle of each northern and southern section of the alphabet roads, thus cutting round trip fill time for P.B. Co. Fire-Rescue, Mr. Saunier brings up the idea of creating a filtering marsh on the Guest property. He and I are very much on the same page here. In the case, we could run 0.5 – 1 MGD of reclaimed through a series of filtering marshes (aka nutrient removal cells) and have the out put flow into the junction of A and Collecting canals. While that is but a small proportion of the total canal volume, it would be a constant feed that would greatly offset evaporation and seepage. This could be a western Wakodahatchee / Green Cay if you will, serve as an educational and wildlife site and potentially aid the Town in offsetting carbon emissions as well as a host of other benefits. The land is not cheap but through negotiations with FP&L (green initiative), the Guest Family trust and granting agencies, we should be able to achieve this. It is WELL worth trying.

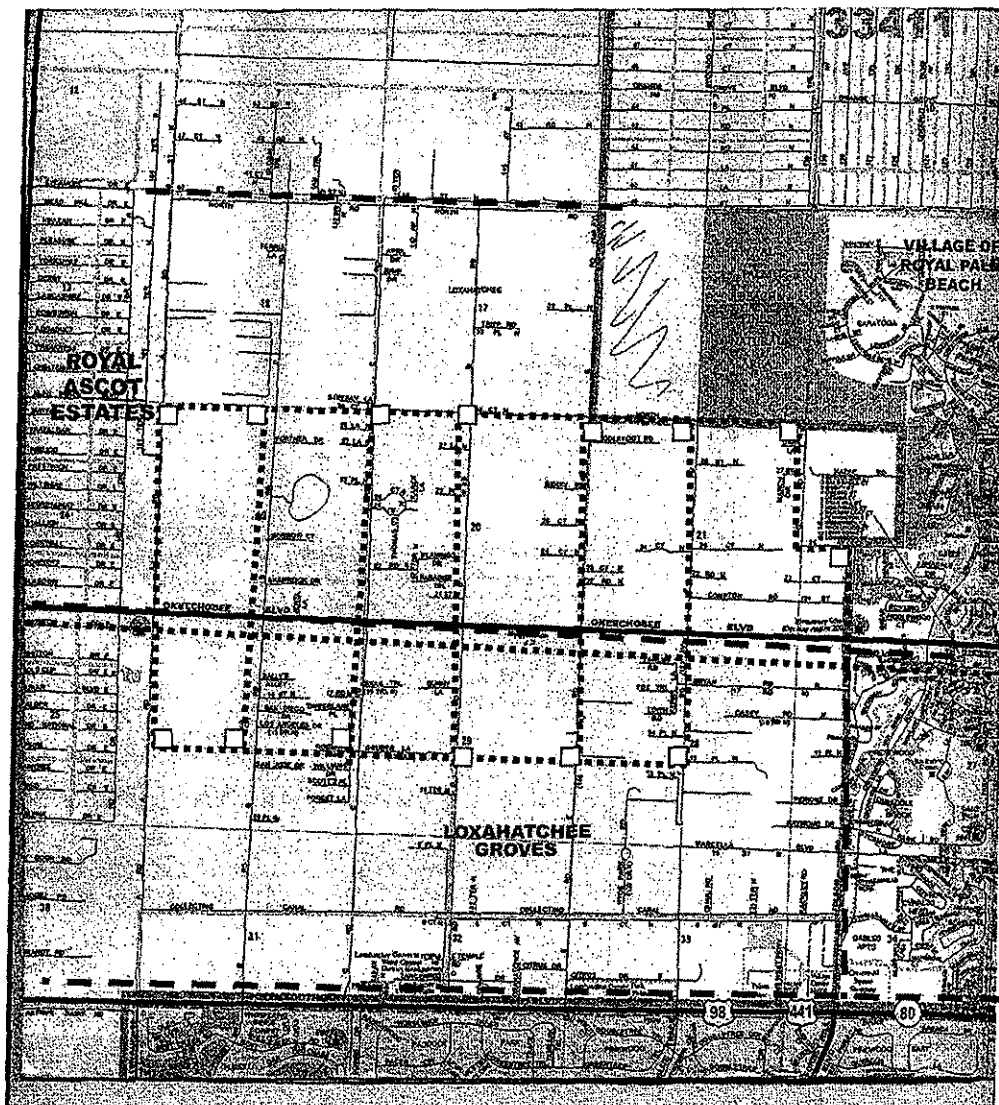
In conclusion, this was a most rewarding and beneficial meeting and I look forward to continued cooperation with LGWCD and the County Water Utilities Department.

As I started the fire suppression water source task with P.B.Co. Fire-Rescue and P.B.Co. Water Utilities as an offshoot of the Intergovernmental Committee (IGC), I request that I stay on this assignment as I go off the IGC. I request this for continuity of task and as my profession is as an environmental biogeochemist.



Remember, reclaimed water meets very stringent standards and it is NOT sewerage.

"Toilet to tap" is going on in certain parts of the world. As I tell my students; water is H-O-H, I see no poop attached!



Goal—cut down round-trip fire truck refill times. Dashed lines—County potable runs with hydrants. Dotted line—reclaimed main trunk (OKEE) and proposed loop for fire suppression.. BOXES (□) denote fire hydrant locations. Remember: Southern, Okeechobee, Folsom and North-North Road have potable water hydrants already.



East Central Regional Water Reclamation Facility

ECR Board: The East Central Regional Water Reclamation Facility (ECRWWF) is funded and governed by a board comprised of the representatives of the entities served by that facility, namely: the City of West Palm Beach, the City of Lake Worth, the City of Riviera Beach, the Town of Palm Beach, and Palm Beach County.

Mission: To operate and maintain the East Central Regional Water Reclamation Facility in a cost effective, reliable, and safe manner, which meets all State and Federal permits and regulations.

Operations: The ECRWWF is licensed to function under specific guidelines by the State of Florida and the U.S. Environmental Protection Agency. The plant is operated by Florida licensed Wastewater Plant Operators.

Capacity The ECRWWF is currently permitted to process 55 million gallons of wastewater per day (MGD). That capacity will be increased to 70 MGD with the completion of an expansion project currently underway.



**(Above Picture) East Central Regional Wastewater Reclamation Facility,
West Palm Beach, Florida**

Water Reclamation Process

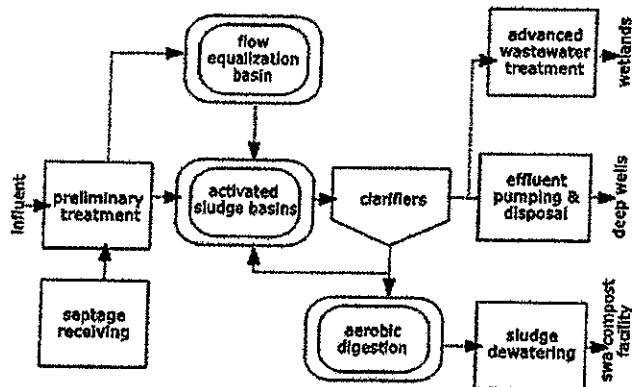
Wastewater entering a treatment plant is referred to as the **INFLUENT**. Influent consists of water, organic materials from toilets and kitchen disposals, and inorganic material such as sediment and industrial chemicals.

BIOLOGICAL OXYGEN DEMAND (BOD) is a measure of the organic pollution present in wastewater. BOD is the amount of oxygen needed by bacteria to break down organic material. Influent has a high BOD because of the levels of organic wastes in the water. Bacteria utilize this organic material as a source of food. In the process of dissolving the organic substances, much of the oxygen from the water is consumed. When the organic material (and the BOD) in the wastewater is removed, the environmental impact of the effluent is greatly reduced.

Our facility is designed to remove as much of the waste from the influent as possible so that the treated water (**EFFLUENT**) will have minimal impact on the environment when it is returned.

The following screens provide more information on the individual steps in the Wastewater Reclamation Process.

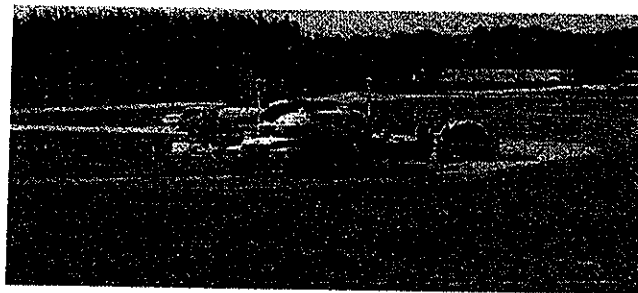
FLOW DIAGRAM



(L to R): Preliminary Treatment, Headworks Bypass Structure, and Pumping Station

Influent: Wastewater generated by residential users, businesses and industry is transported to the Water Reclamation Facility via underground piping throughout the city and county.

Septage Receiving: The ECRWRF also operates a septage receiving station at the facility. Septage is best described as a mixture of sludge, fatty materials, human waste, and wastewater removed during the pumping of an onsite sewage treatment and disposal system, such as a septage tank or portable toilets. All septic waste received by the facility is pumped into the plant Headworks for treatment with the Influent wastewater.



Septage Receiving Station

Preliminary Treatment: Influent enters the facility at the Headworks where it flows through a bar screen to remove rags, sticks and similar large debris and then through a pair of grit chambers where sand, gravel and similar materials, collectively referred to as grit, are removed.

Activated Sludge Process: The ECRWRF uses the activated sludge process to treat wastewater. This is a treatment in which wastewater and biological sludge (microorganisms) are mixed and aerated. The activated sludge process relies on creating a mixture of microorganisms that consume organic waste material in the wastewater. The biological solids are then separated from the treated wastewater in clarifiers and returned to the aeration process as needed.

Influent wastewater flows from the Headworks to the Aeration Basins where air from high volume blowers is forced into the bottom of the basin thru ceramic diffusers. The high volumes of forced air creates an environment where microorganisms thrive by devouring solids and waste. The air also suspends and mixes the bacteria and organic material so they are more readily consumed.

Clarifiers: Activated sludge from the aeration basins flow into the plant's eight clarification tanks. Control manifolds regulate the flow from the basins into each of the clarifiers.

The Clarifiers serve to settle the suspended solids in the effluent. This water/solids separation is performed by gravity. The majority of the bacteria rich solids from the bottom of the clarifiers are returned to the aeration basin to support and sustain the growth of microorganisms, with a small portion of the solids being "wasted" to the aerobic digester. The water in the clarifier tank then flows to the effluent pump station.

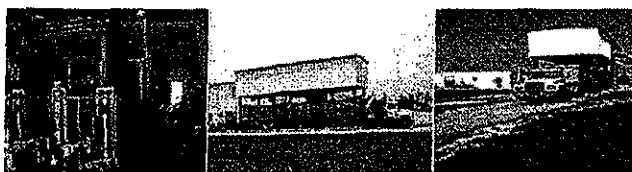


(L to R): Aeration Digester, Clarifier, and Deep Well

Effluent Pumping & Disposal: The wastewater, now termed EFFLUENT, is pumped down one of six deep wells for final disposal. The deep wells extend into the solid rock layer or Bolder Zone of the earth, approximately three thousand feet below the surface. Disposal of treated effluent in this manner is approved by the State of Florida and the Environmental Protection Agency.

Aerobic Digester: The "wasted" bacteria from the clarifiers are pumped into the Aerobic Digestion basin. Here the bacteria sludge is aerated without the addition of a new food (BOD) source, other than the sludge itself. This causes the bacteria to digest the material in their own cells, and other dead cells. The result of this digestion is a more stable material that does not produce nuisance odors, and is more suitable for dewatering.

Dewatering Operation: Sludge from the Aerobic Digester is pumped to the Dewatering Building. A polymer solution is added to the liquid sludge to thicken it prior to processing in the plant's five belt filter presses. The belt filter presses utilize separate gravity and compression zones to drain and squeeze the water from the sludge. With careful monitoring and adjusting, it is possible to produce a sludge cake that is 15 to 18 percent solid material.



(L to R): Belt Filter Presses and Truck Loading Station

The sludge cake is loaded into tractor-trailers and hauled to the Solid Waste Authority's Second Nature Composting Facility for further treatment prior to its beneficial reuse.

Wetlands Based Water Reclamation Project (WBWRP):

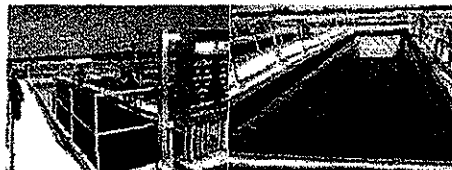
The Wetlands Based Water Reclamation Project is an innovative program that will enable the City of West Palm Beach to reuse treated wastewater to enhance wetlands and recharge the surficial aquifer that feeds the City water supply. This City project is supported by the South Florida Water Management District, Florida Communities Trust, the Federal and Florida Environmental Protection Agencies, and Palm Beach County.

The WBWRP will be capable of providing high-level treatment for up to 10 MGD of treated effluent from the ECRWRF. The purpose of the AWT will be the removal of nutrients (nitrogen and phosphorus), BOD, TSS, and bacteria. The treatment process includes an automated strainer, a deep-bed denitrification filter, ballasted flocculation clarifiers, traveling bridge sand filters, and an ultra-violet disinfection unit. Effluent from the WBWRP will be pumped to nearby natural wetlands for additional treatment. These wetlands will provide habitat for a variety of native animal and plant species. Water flowing through the wetlands will be naturally cleansed and filtered and will recharge the surficial aquifer.

Wetlands Based Water Reclamation Facility



(L to R): Deep Bed Denitrification, Traveling Bridge Filter, Ballasted Flocculation Unit Filters



Deep-bed Denitrification Filter



Traveling Bridge Filter

After flowing through the caps, the water will be pumped to the City of West Palm Beach's wetlands and eventually to the M-canal where it will flow to the City Water Treatment Plant. The benefits of this process to the City include:

- Reuse of reclaimed water
- Enhancement of wetlands
- Aquifer recharging
- Conservation / creation of water resources
- Reduction of dependence on regional water reserves

Operations and Maintenance

The Water Reclamation Facility operates under the leadership of the West Palm Beach, Director of Public Utilities.

An Executive Manager oversees day-to-day operations, budgeting and long range planning for the ECRWRF.

The Chief Operator and fifteen additional operators, licensed by the State, monitor and control the daily workings of the plant and wastewater treatment process.

The Maintenance Supervisor and a crew of three electricians and four mechanics work full time to maintain the plant. A warehouse specialist orders and stores parts and equipment for the plant.

Two tractor-trailer drivers/heavy equipment operators are assigned to operations. Two Septage Station attendants process commercial vehicles through the dumping process.

The Grounds Maintenance Supervisor and a crew of four specialists maintain the appearance of the plant, provide janitorial services and attend to plant beautification.

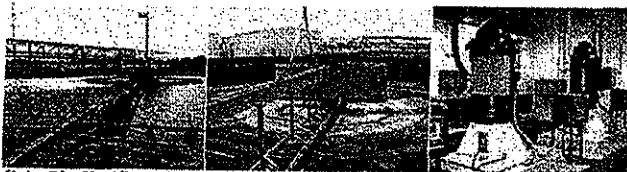
The plant operates twenty-four hours a day, seven days a week, three hundred sixty five days a year.

Wastewater Reclamation Facility Expansion

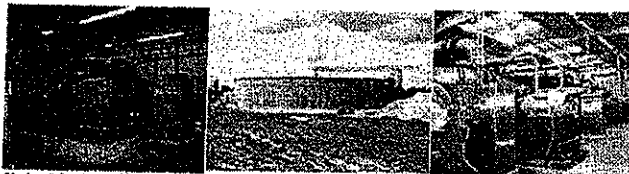
Palm Beach County is one of the fastest growing counties in the United States. Given our rapid increase in population and the projected increases over the next years, the ECRWRF is undertaking construction to expand the treatment capacity of the facility from 55 to 70 MGD.

Plant expansion construction began in March 2004. Improvements include the following:

1. The addition of more effluent pumps
2. The addition of a seventh Deep Injection Well
3. The installation of an additional Air Blower
4. Improvements to the aerobic digester
5. The addition of a second Equalization Basin
6. The installation of an additional influent bar Screen



(L to R): Clarifier 5 in Operation, Clarifier 6 Rehabilitation, Effluent Pumps 1 & 2



(L to R): Aeration Blower, New Equalization Tank, Blower Building

Councilman Louda said I really appreciate Mr. Saunier's input and work on that and the fact that Mr. Beudet was really willing to help was an extremely fruitful meeting in my mind.

Vice-Mayor Lipp said I would like to express on my behalf congratulations and thank you for all your hard work and you have some mighty big shoes to fill on that IGC Meeting Committee.

GENERAL CONSENSUS WAS GIVEN TO HAVE COUNCILMAN LOUDA STAY ON THE FIRE SUPPRESSION ASSIGNMENT EVEN THOUGH HE IS GOING OFF THE IGC COMMITTEE.

Councilman Jarriel said I want to thank Councilman Louda for communicating and I sit in on a lot of the meetings and it was nice to see everyone working together. He asked when we are talking about a filtering marsh can we get those funds from grants.

Councilman Louda said what Mr. Beaudet was thinking was to hit FPL up for it, or if not can they come forward with the match that we need to do the grant.

Mayor Browning thanked Councilman Louda and said we started off on the right foot.

Vice-Mayor Lipp said I keep all of my documents in PDF and requested getting these handouts emailed to him.

Town Clerk Lippman said I will take care of that.

Mayor Browning moved to Item #15.

15. Appointment of IGC Representative

Councilman Louda made a MOTION to appoint Councilman Ryan Liang, Seat 3, as the next IGC Meeting Representative for the next 4 months, SECONDED by Councilman Jarriel and the MOTION passed unanimously 5-0.

Mayor Browning moved to Item #16

16. Waste Pro Waste Hauling Issues

Town Clerk Lippman commented Councilman Jarriel had asked for this Item to be on the Agenda. He said Frank Schiola has submitted a proposal, to be hired as an employee of the Town to monitor the garbage collection.

Councilman Jarriel said I believe Frank Schiola is here to do a power point presentation.

Town Attorney Tolces said under the Town Charter, the Town Council has the responsibility to hire 2 employees, one is a Town Manager and one is a Town Attorney. He said it is assumed any other employees are hired by the Town Manager, starting with the Town Clerk.

Frank Schiola, Marcella Boulevard- said when a complaint is called in by a resident they need to be called back by someone from the Town to ensure their problem was taken care of. He then did a power point presentation for the Council.

He touched on:

- Qualification/Relevant Experience
- Resident Complaints (primarily vegetative debris)
- Current complaint resolution process

- Proposed Process
- Benefits of Proposed Process

Questions from the Town Council:

Vice-Mayor Lipp asked how many complaints are we receiving per month.

Town Clerk Lippman responded we have all the complaint logs from Waste Pro starting from November 17, 2009 to the present. He said it is averaging between 16-20 per month and there were a lot more at first, and at least 95% or more are vegetation. He said we are collecting at 1229 parcels and the threshold that is indicated in the contract is about 43.7 complaints is allowed for vegetation.

Councilman Jarriel said I would just like to say a little over a week ago I was communicating with Matthew but we had a pretty big problem on B Road. He said for years Mr. Vega was letting his neighbors put trash on his property and it got to the point where this trash was not picked up. He said the Town put a stop to it and Waste Pro came up a day or two later and supposedly cleared up everything and asked Matthew if they did.

Town Clerk Lippman responded they did.

Councilman Jarriel said we have trash problems out here in Loxahatchee and we have people who don't have anywhere to put their trash because they don't have enough easement outside their property. He said Frank has dealt with the SWA for year and years and when I was on the LGWCD Board if I had a trash problem, I would call Frank and he would call SWA and the next thing you know the problem is solved. He said right now we need some type of inside help with this situation until we get a game plan down until where people don't have any complaints about their garbage pick-up. I would like to direct the Town Council to hire Frank on a temporary basis to see what results we get and what kind of recognition we get from the residents of Loxahatchee. He said we need to try and solve this problem now and we don't need to continue down the road like we are going.

Councilman Louda asked what do you cost and in adding Staff/Consultant is this something have to advertise.

Town Attorney Tolces responded with respect to the issue of the Council being able to retain someone, what I would suggest is that we draft an Independent Contractor Agreement with Mr. Schiola and provide in there the certain legal protections that protect the Town. He said we would be looking for minimal types of insurance and to make sure he is aware that he would be responsible for paying taxes and that he would be an Independent Contractor and not an employee of the Town. He said I understand the service that you want to provide, but we need to make sure it complies with the Charter and that it also protects the Town and Mr. Schiola also.

Mr. Schiola responded to Councilman Louda's question, \$25.00 per hour and that includes fuel and the computer work for what I expect to be no more than 10 hours per week. He said as the complaints become fewer and fewer it would be less hours and the goal is to reduce the complaints down to almost 0.

Vice-Mayor Lipp said I recall we had the position of Contract Administrator in the contract with Waste Pro.

Town Clerk Lippman responded and that is the Town Manager.

Vice-Mayor Lipp asked so that position is filled.

Town Clerk Lippman responded yes that is correct.

Vice-Mayor Lipp said I can see where our complaints aren't as high as the contract said that they need to be as far as the threshold, but I am not certain with any level of complaints and when I get a call from somebody I just turned it over to Matthew and I think there is an old saying that you can please some of the people some of the time, so I think we are always going to have some complaints out there, but I think the thing that Frank could help the most with is working with Waste Pro to show where there are multiple families that put their stuff on the road.

Mr. Schiola responded when you go to any of your meetings with other Council Members of communities, you can ask them if people call them up with complaints and it is going to be almost 0. He said and if you don't have any complaints called in to you, then you are doing a great job and that is the goal of the Council.

Councilman Louda said I was going to make a sign for Waste Pro on my property to show that four properties put their pile here so it is 6 x 4 or 24 cubic yards for pick-up.

Mayor Browning said my hope is there will be a learning curve and these drivers will see the multiple sites.

Councilman Louda said I think we would need to put a cap on the number of hours worked by Mr. Schiola per week.

Councilman Jarriel said my only question is I agree with you that he needs to be an independent contractor and asked Mr. Schiola if he could take care of that in a reasonable amount of time.

Town Clerk Lippman said the way illegal dumping is addressed is Code Enforcement is not called unless it is on private property because Waste Pro can't go on private property. He said if there needs to be an investigation than PBSO is involved. He said if there is illegal dumping it is communicated to the Town and we communicate to Waste Pro and in the contract we are allowed 100 cubic yards a year for free to be picked up and in addition to the 100 yards, for instance to touch on Mr. Vega's property, when the pile was looked at it was mixed, there was glass, paint cans, illegal chemicals, and a bunch of stuff that they weren't allowed to take. He said in reference to little or no follow up with residents, what happens is Michelle does keep a log at the office and compares it to the log from Waste Pro weekly. He said now we do ask that they follow up with a phone call and I think we have to emphasize that with Mr. Riley. He said I think common piles not being defined is the biggest problem and we could be a little more proactive to work with Mr. Riley to identify those piles. He said all of the problem areas have been identified and worked out, not to say they haven't missed one, and as it is called in and recognized it is an issue then it is resolved with Mr. Riley. He said I think what is happening is there is a learning curve but from day one to now we have really come along way. He said some of the other items here are very good ideas and I think following up with the caller and fining the hauler but we do monitor the threshold very careful. He said again we don't use Code

Enforcement for illegal dumping. He said and in regards to a dumpster expense, if there was an instance where there was no common area, they would offer but not enforce a common vegetative dumpster to be used at their cost. He said and just to highlight real quickly, I want to bring up the Memorandum that was referred to addressing all these issues and I think what it comes down to, is going from unlimited to limited and that is a very big shock. He said what happens is there are some piles that are tagged as being too big, but they are not too big due to illegal dumping, other things mixed into them, or it is from more than one parcel. He said it was a nice thing to have Pischon come in 6 days a week and take everything but that same service was offered to us for almost \$900.00 per year. He said I would caution the Town in hiring an employee because when you think about it, Frank would not report to Waste Pro, but to Town Management and then what happens is Management has to manage Frank and Waste Pro. He said and that is how the chain of command would work. He said I know that Frank does not need to donate his time, but I think he has the knowledge if he wants to assist. He said I think we need to work really hard and hold more accountability to Pete Riley.

Pete Riley, Operations Manager, Waste Pro- said yes we have to agree the hardest thing for us to do is to find the common piles, because they are not always out. He said and we do work with PBC and I invite you to call these people and ask about the work we do, we take it very seriously. He said what I did is I took the last 4 months and averaged your complaints from the 1229 homes and mapped out the vegetation, garbage, and recyclable complaints and you'll see a trend indicating that vegetation is the highest. He said you have gone from unlimited vegetation to 6 cubic yards. He said I could bring a 6 yd dumpster to show you and it is a world away from where you were. He said Matthew and Michelle are great and anytime they call we do respond to them only in positive ways. He said on B Road I too had a long conversation with Mr. Vega and no he is not happy with his neighbors doing that and we took all of that and left nothing behind. He said I agree with you, I thought B Road looked terrible but it wasn't anything we did. He said we just went out at our expense and cleaned it up for you.

Councilman Louda asked do we need to come up with a common signage for your drivers.

Mr. Riley said you have a gentleman on C Road and his common pile is under the illegal dumping sign and once he brought that to my attention we went right out and picked it up.

Town Clerk Lippman said I think Councilman Louda is on the right track on how do we make it easy for Waste Pro to determine these common piles to be as obvious as possible.

Town Attorney Tolces said depending on how the Town Council wants to go, our office needs to review the existing agreement with Waste Pro because the Town can only have one Administrator to deal with Waste Pro so the agreement would probably provide for Mr. Schiola to report to the Town's Administrator and those reports would then have to be sent to Waste Pro. He said we need to look at that and make sure we develop any agreement with that in mind.

Councilman Liang all of the other municipalities do they have people who field monitor.

Town Clerk Lippman said the difference is other municipalities have employees and they have Public Works Departments and Town Employees.

Councilman Liang asked would it behoove the Town to have some type of oversight to make sure nothing goes wrong. He said I think it is important to think about that.

Mr. Riley said I think you have your oversight and Matthew and Michelle are who I go to and it is never ignored.

Councilman Liang asked but are they actually going out and checking the sites on their own. He said if they can't then we should think about contracting someone out.

Councilman Louda said we need Staff's input too, do they think it is needed.

Town Clerk Lippman responded at the beginning there were some definite issues and concerns and we had a meeting where I got very aggressive and then they did calm down dramatically. He said and to answer your question directly Councilman Liang, as far as having someone out in the field, I think it is more of a philosophy of the Town than what the actual need is. He said what happens is the Town Management Team is responsible to manage every contract the Town has and the two unique contracts that we really can't monitor eye to eye are PBSO and Waste Pro, because those are active contracts that are 24 hours a day and handled in the field. He said so whether we need that position or not is for you to decide, and we have a waste issue, we have someone who is being paid a lot of money to do their job, he could be held a lot more accountable than he is right now. He said there is a mechanism right now but if you want to get more aggressive you certainly can.

Councilman Jarriel asked Mr. Riley do you have a problem working with Frank if we decide to direct Staff to contract him.

Mr. Riley responded I have no problem working with anyone.

Councilman Jarriel said I personally think that Pete could use a liaison to help deal with Loxahatchee and someone who is familiar with the garbage pick-up and Loxahatchee. He said we keep commenting that the complaints are getting less and less but if we don't have any complaints than Frank doesn't make any money and I think it is time that this Council directs Staff to try and solve a problem, not hope that each month it keeps getting better and better. He said we can do it on a temporary basis and if Pete and Frank can get together with Staff and we can take care of all the complaints then Frank won't make any money and there won't be any need for him in the future. He said I think we owe the residents to give this a chance and hope for no complaints. He said so I would hope that we can direct the Staff to get with Frank.

Mayor Browning said my thoughts are a little bit different. He asked are we going to do this with everyone we contract and hire someone to manage them. He said I remember being with the LGWCD and getting calls saying your guys are sitting in the graders doing nothing. He said I don't want any employees for our Town and we have the process in place and we can handle it. He asked so now are we going to do it on everything we contract out and that starts a scary process for me.

Mr. Riley said if you take vegetation out of the picture and before we even started the contract we went out and cleaned up everywhere Matthew or the Council took us to before we even began. He said what you really might want to focus on is education of the new laws of vegetation and maybe we can do something for you at your next event. He said we could bring out a 6 yard container and show people and I think they will be shocked at what it really is. He said I am saying maybe we have an issue and maybe it's vegetation.

Vice-Mayor Lipp said one of the next things on the Agenda is Neighborhood Oversight Committees and people getting involved on their own nickel, so one thing I would ask of Frank is instead of going on the Town's nickel, for a month do what you outlined on your power point and let's see if it makes a difference. He said I would ask that Frank offer to monitor the situation for us as a concerned Citizen and work through the Town Office to see what we can come up with. He said I came in here tonight thinking this was a really good idea, but after hearing all the sides of the story, I would like to see if we can start out as baby steps here.

Town Clerk Lippman said I spoke with Pete Riley and one of the unique problems we have is vegetation and I think it is a problem and that 6 cubic yards will present a problem a few times a year. He said one of the things I proposed is to allow for a company or a business that operates in the Groves that has the ability and the equipment to go around and grab every pile and they can process it and make money off of it, maybe 6 times a year. He said Waste Pro was very open and receptive to that and you're never going to get caught up at 6 cubic yards and if we keep it in the Groves x amount times a year.

Mayor Browning said and we talked about that and I think that is a great idea for Hurricane Season and we should follow-up and talk to some of those processors.

Councilman Jarriel said we are having a carnival at Loxahatchee Elementary School this Friday night and asked Mr. Riley if he could have an educational dumpster there.

Mr. Riley said I will bring a nice new one and coordinate it with the head custodian at Loxahatchee Groves Elementary School when I deliver the recycle bins.

Councilman Liang said I just wanted to comment on Vice-Mayor Lipp's thing on Frank doing it for free and I don't think it is fair to Frank. He said we spend all this money on studies, so let's consider it a study.

Mr. Schiola said I want to address Vice-Mayor Lipp's I don't mind doing it but there are a couple of issues that go along with that. He said if I am contracted with the Town and I get into an accident then my insurance covers it but not if I am doing it pro bono. He said I just am looking after myself as well as the Town.

Mayor Browning asked for comments from the Public.

Marge Herzog, 966 A Road- said my experience has been that the Town Staff and the Waste Pro representatives have worked very well together and I know when I served on the Town Council and anyone called me I would intervene on the behalf, much in the same way as you are hearing Frank would do. She said that is what the 5 of you were elected to do, to represent the people. She said so get out there and fight, these people will work with you, they have worked with the Staff. She said just get out there and represent the people.

Cindy Corum, 2452 C Road- said when I first heard about this idea I thought we shouldn't pay someone to hire someone to keep an eye on people we are already paying, but I think it is a good idea. She said Mr. Riley stands here and says we are doing a good job, but that is not what I am seeing. She said I know one reason the calls have probably dropped is my neighbor stopped calling because she gave up. She said we have a common pile on 24th Circle. She said I say if we can give lobbyists \$25,000.00 we can give our own guy. She said try it on a 3

month basis. She said I know he says everything is great-it's not great-listen to the people in Town.

Councilman Louda said the perfect example where a sign is needed.

John Ryan, 3508 A Road- said I know Frank very well and I think of him as a very direct bottom line person and when I was listening to Matt and Pete speak I get the feeling that you think that keeping a log and passing paper around and having people come and speak at a meeting is a resolution to the problem and that is not a bottom line resolution of the problem. He said I think one of the problems that I think Matt eluded to the fact that PBSO and Waste-Pro spend so much time in the Groves it is impossible for Matt to provide the monitoring and the follow-up and supervision of them that is needed and I don't think with all of the issues that have come up that Waste Pro has ever been fined and I think we still have enough problems that it would make sense to try this out. He said I don't think Frank is looking for a contract saying you are going to give me this # of hours a week for a certain period of time and I think we ought to try it for a few months and get some real feedback that is bottom line feedback and not just paperwork. He said I think tonight, for example, we authorized with very little notice, \$22,000.00 of Engineering Time to support our efforts to get grants, which are important, but I think we are talking about trying to touch the residents in a real way and I think having someone that they have confidence in who will investigate a problem and see that there is follow-up and conclusion, is a real benefit to the residents out here-bottom line means a lot.

Clete Saunier, LGWCD Administrator- said please on behalf of my very hard working staff, if you would verify Mayor Browning the call you got in about the operators doing nothing was either a former employee that I terminated a long time ago or happened to have been caught on their 15 minute break which they are entitled to.

Mayor Browning responded I apologize, I do want to clarify that and each of those situations was a justified situation but where someone driving by saw it and thought it in their mind.

Councilman Louda said if we do go with a trial period, I think we need to give him something that is educational as well, like the comingling. He said has to be an educational aspect that has to go along with this rather than just looking at the pile and calling it in. He said and I think the signage is going to help a lot.

Councilman Jarriel made a MOTION to direct Staff to draft an agreement with Mr. Frank Schiola as an Independent Contractor for \$25.00 per hour on a 90 day trial basis, SECONDED by Councilman Louda and the MOTION passed unanimously 5-0.

Town Clerk Lippman said if you want to go this way then I would ask that you bring it back at the May 5, 2009 meeting and with the understanding we all agree on the responsibilities.

Councilman Jarriel said May 5, 2009 sounds good.

Town Attorney Tolces said we will bring that back to you at your next meeting.

Mayor Browning moved to Items #17 and #19 which were asked to be combined at the beginning of the meeting.

17. Neighborhood Oversight Committee &

19. Financial and Accounting Procedures Memorandum

Town Clerk Lippman said this Item was requested by Councilman Jarriel to be on the Agenda.

Councilman Jarriel said before and since I've been on the Council, I've had a lot of complaints on how we spend our money and what the Budget goes for. He said I've talked with Town Staff, Shelley, and Town Attorney Tolces and they don't have a problem with people overseeing but at the same time working with them. He said we found a couple problems when it came to issuing checks and stuff and they have been or will be resolved. He said for example, when I was on the LGWCD Board I had numerous people that had problems with Clete and the Budget and the problem was solved after Clete sat down with these people and explained everything and where the money was going. He said I feel if we are doing a good job as far as Staff is concerned then we won't find a problem. He said we have people in the Groves willing to volunteer their time and I believe we need a committee to oversee what is going on in Loxahatchee Groves, especially if we are going to get it free. He said I think the committee will be there to help Staff and if Staff makes a mistake they will let them know about it and I'm sure Staff will be concerned enough that they will take care of the problem. He said I am looking for a committee that is going to work with our Town Staff and so when residents call me I can refer them to this committee and the committee can clarify things. He said I feel like we need this committee to justify what is going on and to get a good communication for the residents of Loxahatchee Groves.

Mayor Browning asked is this a financial committee.

Councilman Jarriel said I'll tell you what I see for the future. He said now we've got ERM coming up and I notice that a few of the short listed firms recommended that we have a committee of people from the Town that would work with them and let them know what the Town wanted and I'd like a committee of people with different opinions and interests that can assist in the ERM and with the Budget and stuff like that.

Vice-Mayor Lipp said I've been just overwhelmed with the success we've had with the IGC and it has been very well done and has it has saved a lot of time from Council Meetings and I think using that as a format, where it is held in the Sunshine, where we have Town Staff, one Council Member, and the group of concerned citizens in attendance and the Council Member would then report back on what the findings were and I think we can get things greased to where we are not spending 40 minutes discussing an Item that could have been discussed at another meeting, and that is why I asked if Agenda Item #19 to be folded into this because I don't think a Town Council Meeting is a place to do this, it is a place for policy to be set. He said I support Councilman Jarriel's idea.

Mayor Browning said one of the things we probably need to do because I know there is a procedure to go through to form committees and we need direction from that to do it the right way.

Town Attorney Tolces said under the Charter you would need to adopt a Resolution to establish the committee and as part of that I would suggest you think about the number of members you want on the committee and the term of each member and any qualifications you would seek. He said you also have to remember that the committee can only be advisory and they would have to come back to you for any final action and everything would have to be out in the Sunshine.

Mayor Browning said I almost think we as Council Members need to come up with some ideas for committees that we think need to be there to start the process.

Vice-Mayor Lipp said I think Town Attorney Tolces could more or less draft a generic Resolution that provides for a Neighborhood or Financial Oversight Committee.

Town Attorney Tolces responded we can draft that and say the committee will be made up of 5 members, 1 designated by each Council Member and the term could be set at maybe 1 year. He said I can do the framework but you would need to give us the details.

Councilman Liang said one thing I was thinking is it would be good to start off with a very broad general committee and down the road as we need more functions just branch off subcommittees off of that and they can report to the main committee. He said I don't feel like going to a ton of meetings and just talking to every single one when it could be stream lined and basically it would save our time. He said for each Town Council Member to do the research on every single issue that could come up it would be very difficult to do that and I would like to use it as a tool for us to make educated decisions.

Councilman Louda said I love the idea where each Council Member appoints one to the committee.

Councilman Jarriel said first of all our Budget is our priority right now, and what we do with our funds this next year and I've had people ask me what are you going to do with the contingency funds. He said my main concern is to start with one oversight committee and to concentrate on our Budget and where we are spending our money.

Councilman Louda said I am thinking not all CPA's and more of concerned citizens.

Councilman Jarriel said I agree and that is why each Council Member would pick one person for the committee and this is back to community involvement and Marge is always getting involved so I would hope someone would recommend her to be on this committee.

Town Clerk Lippman said I think everything everyone has shared as far as the vision is exactly where we need to do. He said after I bring up a few points it is going to appear as if I am against committees but I just want to make sure that you think this through. He said if you remember when we did the Visioning Sessions, one of the most important things is we had stakeholders and I think that for important things like ERM and when you do the LDR's it is very important for each of you to have stakeholders in the process. He said but what you have to remember is we have a committee of 3200 residents and I've never once turned down a meeting with anybody. He said you hired our Management Team because we are a team of professionals, we have a Finance Director, we have a CPA, an ex Town Manager for 20 years and a Staff of 23 people. He said one of the things also is when you say we need professionals, we have professionals and are a professional team. He said there has been a lot of misunderstanding and misinformation about our contingency funds. He said our contingency funds and as Vice-Mayor Lipp, Mayor Browning and Councilman Louda will know we decided the first 2 Budget years, as everybody agreed, we would build the contingency up for 2 years and the third year that money will be applied to lowering the millage to offset the Ad Valorem because the property value is dropping and if we don't need that contingency fund we would come back the next year and lower the millage to maybe 1.2 and that is where you get the savings. He said and all 3 of you

agreed to the Budget. He said there is a lot of misinformation as to why our contingency is so high. He said a committee is very relevant if you don't have access to the information. He said I challenge anyone to come to the office and get the information and let our professionals explain to them and see if there is still a misunderstanding. He said as far as what Councilman Liang brought up with the research, that is what Town Staff is for, I never want any of you to take the time of 8 hours a day researching things. He said I have never once turned anyone down. He said there is a Financial Memorandum that I sent to the Town Council and if you look at the 2-3 year history we've had and the successes we've had. He said I made a mistake in issuing a check to Donna Brosemer and I said yes when I was asked and I'll say yes again but I don't feel we need an oversight committee because of one mistake. He said I do believe citizen involvement is very critical but do you really want to add that much to Staff time with legal notices and taking minutes when the information is already there.

Town Attorney Tolces said with respect to your discussions concerning the committee and what I've seen this far is you'll have 5 members and a liaison from the Council. He said this would be a non-voting member of the committee because you don't want to wind up with ties. He said the committee would be advisory in nature and could appoint the Chair and Vice-Chair. He said I can frame out a Resolution and bring that back to you.

Mayor Browning asked for comments from the Public.

Marge Herzog, 966 A Road- one of the things we have always watched is the expenses both with the Town and the LGWCD, so if this citizen committee is going to watch over the Town and the way they spend their money, then they should watch over the LGWCD as well and how they spend the taxpayers money. She said other than that what is the purpose of the Audit Committee we already have. She said I don't see the purpose of a committee or what the committee is going to do.

Clete Saunier, LGWCD Administrator- said Councilman Jarriel referenced this group of individuals who came to the LGWCD, and sometimes when you are the sole source of all the information it is not very affective. He said so when I was approached by a couple of the Board Members and residents who were concerned about the Budget I asked them to send me some questions and I showed them and answered their specific questions on how the money was being spent. He said those same people went out and then spread the word. He said it was a tool to get communication out to the Public. He said websites are great and I think the Town has a wonderful website but unfortunately in the Groves there are not a lot of people with internet access so it may not always be the best way to get the word out. He said I would just say as an alternative to committees maybe have those folks that are concerned come in and maybe schedule a Workshop Meeting to show what good you are doing for the Community with the tax dollars you are spending.

Mayor Browning asked Mr. Saunier how would it affect your ability to do your job if you had a citizens oversight committee like this that you had to meet with.

Mr. Saunier responded my personal opinion on committees is there is a general miscommunication going on with the Public and the Public feels like we need to have people there to represent the way I feel. He said rather than committees maybe just have that General Workshop meeting of those individuals and invite them to bring their questions to you and you will have the opportunity to communicate all the benefits you are doing for all the people who

are paying their high end tax dollars to. He said you can have committees but after you get through the first one or two meetings with them you might not even need them anymore.

Town Clerk Lippman said I 100% agree with everything Mr. Saunier says. He said I cannot agree with him more, I will take the time to share the information with anyone who wants it in any form they want.

Frank Schiola, Marcella Boulevard- said when I was on the SWA Citizen's Advisory Committee it gave an extra layer and let us know our voice was being heard and I think we should try this out and if you have people who want to sit in on this thing that will just give another layer.

Cindy Corum, 2452 C Road- said I don't know why this is so scary, I think it is a good thing. She said it is not about whether a check was done in error, it's about more than that and I know that Matt did address my concerns from the last meeting and I am pleased to see there has been a cut back in Code Enforcement which will result in a decrease of 50%, but that took effect yesterday and I am concerned that didn't take place back in October when the case load went down by 75%. She said I am very happy to hear that the Administrative Fees went from \$750.00 down to \$400.00 and I want to thank our Clerk for handling that but I think we need to review these fees to make sure they are what the Council intended when they were established. She said and the Magistrate costs, Matt says our spending is in line with other Towns but I am not finding that. She said I am finding that when case load and meeting hours are taken into consideration, I think a resident committee can positively find ways to recommend ways to save money in that area. She said and then we have the Legal Budget but despite the assumption that the Legal Budget for the Town is well in line compared to other towns, the facts that I have been able to gather from 25 other towns really contradicts that. She then showed a bar graph with her findings on the screen. She said we are way up there over 7%.

Councilman Louda asked Ms. Corum how many of these are brand new because this means nothing to me until I see what their percentage was when they started.

Mayor Browning said when we were doing our first budgets we knew these would be high because we had to do the Comprehensive Plan and we would have a lot of things we would need to get through.

Ms. Corum said let's be honest here, we all know this, a big chunk of our Budget was used to battle our own LGWCD, so let's not use the Comprehensive Plan as an excuse.

Town Clerk Lippman said the financials and every dollar that has been spent has been Public Record for 3 years and you as a Town Council reviewed them for 2 consecutive years and approved every financial every month. He said there is nothing that Ms. Corum or anyone involved can't get their hands on. He said when she asks me for a financial I respond to her within 5 minutes. He said we have a Staff of 3, you have no employees. He said all I am saying is are we perfect, no, do we have a financial situation, no. He said I am open to any comments but a committee I think is an overkill.

Ms. Corum concluded her comments by going over the benefits of a citizen oversight committee. She said potential to reduce spending, open lines of communication, to build better relationships between Town Staff and/or contractors, and for positive perception of the Town by the residents.

Lung Chu, 3270 B Road- said I currently am an auditor for the School District and I serve on several committees, and they do have some purposes for existence. He said I see a committee to have a purpose, to be advisory and they should be appointed by you guys, but do remember that they could give you some independent view of some things and they are free. He said get a professional group with diversified backgrounds and if it doesn't work-terminate it.

Councilman Jarriel made a MOTION to direct Staff to draft a Resolution that would create the procedures for a Budget Oversight Committee, SECONDED by Councilman Liang and the MOTION passed 3-2 with Mayor Browning and Councilman Louda opposed.

Town Clerk Lippman said I have worked with a community that had committees and I have no problem working with them at all.

Councilman Louda said I see committees primarily for specific issues like the IGC or ERM coming up, but to have the little guy sitting on your shoulder.

Mayor Browning said I can tell you I've built several schools with plenty of parent and teacher advisory committees and I'm telling you it doubles your tax money because the school does not get built in an orderly manner. He said no one can make a decision and then the schools get delayed months.

Mayor Browning moved to Item #18.

18. Purchase of GPS System for PBCFR Station 21

Councilman Jarriel said tonight at the Acreage Landowner's Meeting they are presenting Stations 26 and 22 with GPS units for their rescue truck and their engine. He said I just retired from the Fire Department but there is nothing worse than going to an emergency call and having to stop at a road to look for the sign at night when it is dark. He said we have certain days with the Fire Service where the regular crew takes off and floaters come in to cover their spots and they do not know Loxahatchee, and even if you know Loxahatchee and you get up at 2AM, you can't tell how far the street is ahead. He said the GPS cuts down on response time. He said I managed to get the Best Buy Branch Manager down to \$219.00 per unit. He said they have one in the tanker which the County paid for and they justified it because he rides by himself without a partner. He said I'm asking the Town Council to pay for 2 of them for Station 21 and to have them come to one of our meetings so we can present it to them.

Councilman Louda made a MOTION to authorize the "donation" of up to \$600 for 2 GPS units to PBCFR Station #21, SECONDED by Vice-Mayor Lipp and discussion was then opened:

Town Attorney Tolces advised to get a receipt back from the Station.

Mayor Browning asked for comments from the Public.

Marge Herzog, 966 A Road- said when I was at the EOC and I was with one of the members of the Fire Department, they said they have GPS units already but they have to program them before they get them to the different stations.

Councilman Jarriel responded they are not available and I would appreciate it if you could get that person's name so I could talk to him. He said PBC authorized it only for vehicles with 1 driver.

The below 2 Members of the Public turned in the following comment cards but were not present at the time of the Agenda Item.

Julie Williams, 15301 San Diego Drive- Fire Rescue should pay for this not the Town since they are under the County.

Beatrice Screciu, 15285 San Diego Drive- I believe PBC Fire Rescue should incur the costs not the Town.

The MOTION passed unanimously 5-0.

Town Clerk Lippman said there is money in the Budget so that is good.

Mayor Browning moved to Item #20.

20. Public Comments

DJ DeRenzo, 4950 Mallory Street, Lake Worth, Florida, Potential Candidate for District 85 Seat- introduced himself and said I live in Lake Worth and I work at the Polo Club in Wellington and I am running for a Seat in the State House of Representatives for District 85 and Loxahatchee Groves is in the Northwest part of District 85. He said there are 560 days before the election and every time I come to one of these Town meetings, I realize just how much I need to learn. He said it has been a learning process and one thing I can say about the political process is it seems often times it is an enterprise where you really get to know people and it is a rather impersonal thing and I am going to have a problem with that, because I want the people who vote for me to really know me. He said and like you guys I do have a website at DJDJDJ.org and your website is nice and the work you do is nice I am very impressed.

The below Member of the Public turned in the following comment card but was not present at the time of the Agenda Item.

Laura Tindall, 3780 A Road- paying for B, D, premature.

John Ryan, 3508 A Road- said just a reminder for the Public that the MREG Plan put together a lot of information on the roads in Loxahatchee Groves and the LGWCD's Budget affects all the roads and just as a reminder all of the dirt roads north of Okeechobee have traffic volumes that exceed any of the roads south of Okeechobee and the reason for that is that is where most of the traffic comes from. He said I think it is a good idea that we are going to see if we can get some grants for roundabouts for traffic control if we could get a grant to improve the road surfaces throughout the Groves that would be great. He said I think any use of the gas tax funds ought to really relate to the roads with the highest traffic volumes and also should try and benefit as many residents as possible.

Lung Chu, 3270 B Road- said I would like to congratulate Councilman Louda for his idea to bring forth the idea of OGEM on South B Road and I would like to urge the Council to consider

the whole Town being OGEMed and I would also like to ask that in the future that I think we should look at the idea of using the gas money for OGEM.

Mayor Browning moved to Item #21.

21. Town Clerk & Manager Comments

Town Clerk Lippman said despite my obvious aggression to a lot of things tonight I am always willing to work with anyone.

Town Manager Dr. Rosenbaum said I know that all of you had received our correspondence, and my apologies for not calling you personally, but I want to say thank you. He said myself, and Matthew and Michelle will always love Loxahatchee Groves, but we are going to have to draw our relationship to a conclusion here and the reason is economic and circumstances have changed since we constructed our first contract. He said Loxahatchee Groves has grown and done well and the citizens have become involved and that is good, we favor that, but it has gotten to the point as a company where we use our other accounts to subsidize what we do here and if you do the math and look at what we pay three people that doesn't calculate. He said what has happened is we can't go on and subsidize the accounts that we like, like this Town and that is the reason for this and we had to do this fairly rapidly. He said we do have a long term exit term on our contract and we fulfill that commitment and the last day of that contract will be handled with the same excitement as the first and we will try to steer you to a successful conclusion in bringing your next management team and do a smooth transition. He said again this is truly an economic decision and we have touched on this a couple of times before in the past few months. He said when this first started I was really hoping the economy would turn around really quick, but it is not going to happen that way, it is going to be a long and drawn out process, so we reluctantly are giving termination notice on our contract and we want to close by saying thanks and we will be just as enthusiastic on our last day as we were on our first one and it has been really great working for all of you.

Mayor Browning said you brought us on a ride and the goals that we set two years ago, we are seeing come about and it's through your efforts and we sure appreciate that. He said you did a good job for us.

Mayor Browning moved to Item #22.

22. Town Attorney Comments

Town Attorney Tolces said on behalf of myself and the firm we have enjoyed working with you and we look forward working with the Council and assisting with the transition. He said as part of their contract there is a 120 days termination provision, so we will be working with you in figuring out how you want to go about the process in retaining a new Town Manager. He said with respect to ongoing matters that we have, I provided you with a Memo concerning the City of West Palm Beach's Comprehensive Plan challenge that we are involved in and there is a meeting that has been set for next week and I will report back to you. He said we will wait and see what happens with our Comprehensive Plan but it has been a great accomplishment and we look forward to adopting the Land Development Regulations as well.

Mayor Browning moved to Item #23.

23. Council Member Comments

Councilman Louda said I received the call and thought it was a joke until I got the letter. He said I am disappointed but I fully understand and I really appreciate the time and effort you all put in and I couldn't believe how easy it was to work with you all and to get through what I thought would be a lot lot harder. He said I'd like to see us maybe get something on the May 19, 2009 Agenda to start to begin thinking about transition. He said it's a blow, I hope we can find a firm that is as good and qualified as yours to carry on to the next level. He said back to work stuff and requested that Fireworks be on the May 19, 2009 or a June Agenda as well. He said I would like to get a very aggressive advertising campaign out there and I would like to revisit the idea of getting extra deputies. He said I sent something to Town Attorney Tolces on turtles that Marge Herzog passed along that there is a potential that they will at least ban commercial taking, so that is a first step.

Councilman Liang said I didn't have the opportunity to work with your firm as long as some of the other Members on the Council, but you guys did help me out and answered every single question I had. He said I didn't have the opportunity to use you guys as much as I could have or should have. He said the other thing I want to talk about Marge's comment about the committee and I think the committee should be used for every single issue regarding the Town, whether it is LGWCD or the Town, and we shouldn't look at it as a financial committee, because honestly we don't have enough finances to be looking at it every week or month. He said it would be more of a once a year oversight or a quarterly oversight. He said I think we should focus on having it more as a tool for the Town Council for research purposes, and maybe if we had it earlier then the Staff wouldn't have had to put in their resignation and it would have reduced some of their workload.

Councilman Jarriel said I want to thank Town Attorney Tolces and his firm, they gave Loxahatchee Groves Elementary School a check for \$50.00 for the carnival which will be this Friday from 4pm-9pm.

Vice-Mayor Lipp said it's been great working with Irv and Matthew and I wish we would have gotten to know more of your people from your team, and I think that Michelle is the real star of this group, not that you're not both stars, she is celestial, so I appreciate her work. He said and it's a small community we have here so I'm certain that even after the 120 days we will be crossing paths.

Councilman Jarriel said I want to compliment Matthew and Michelle also. He said if I've had any questions and residents call me, Matthew or Michelle whichever one of them was in the office, they have been more than helpful and I appreciate that.

Town Clerk Lippman said you have the presentations on the LDR's on May 5, 2009 and noted Councilman Louda won't be there. He asked do you want to move them to May 19, 2009.

GENERAL CONSENSUS WAS GIVEN TO MOVE THE LDR SHORT LIST PRESENTATIONS TO THE MEETING ON MAY 19, 2009 AND TO START THE MEETING AT 6PM DUE TO THE FACT THAT COUNCILMAN LOUDA WILL BE ABSENT ON MAY 5, 2009.

Town Clerk Lippman said I will make sure I advertise that and communicate to the presenters.

Mayor Browning said I want to thank you, Matthew, Michelle, and Irv and the bottom line is you saved us half a million dollars on our budget, so those are some big shoes to be filled, and whoever comes after I hope they are as diligent and we set our budgets a little bit high because we did not know how much the Comprehensive Plan would cost. He said so I want to compliment you for what you have done. He said Matthew, I think everybody that has ever talked to you or asked you anything you call right back and I appreciate the response. He said I also want to touch on the B Road thing, Councilman Louda's motion died from a lack of a second but I was a little upset because the LGWCD set up a very fair way of voting to get the residents of a road to pay for their road. He said I was a little upset when the residents of a road voted it down and then immediately turned around and put in a petition to the Town saying we want our road OGEMed but we just want somebody else to pay for it. He said so I have heartburn when we have a process and it would be a great thing if we could get a grant and maybe do all the roads with OGEM and have nobody have to pay for it. He said after all these years of going around and around and around with this, the LGWCD finally gave the residents of Loxahatchee Groves a say of what to do on their roads and a tool and a technique to gain it, so I was a little disappointed that one of the roads did that because we couldn't afford it if all the roads did that.


Mayor Browning moved to Item #24.

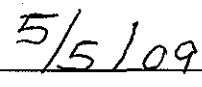
24. Adjournment

**Vice-Mayor Lipp MOTIONED to adjourn the meeting, SECONDED by
Councilman Liang and the Motion passed unanimously 5-0.**

There being no further discussion and no additional public comment the meeting was adjourned at 10:53 p.m.


MAYOR DAVE BROWNING

ATTEST:

Matthew Lippman, Town Clerk


Date Approved